

THE
THIRTY-FIRST LEGISLATURE
STATE OF HAWAII
SPECIAL SESSION OF 2021
JOURNAL OF THE HOUSE

FIRST DAY

Tuesday, July 6, 2021

In accordance with the provisions of Section 16 of Article III of the Constitution of the State of Hawaii, the House of Representatives of the Thirty-First Legislature of the State of Hawaii convened in Special Session on Wednesday, July 6, 2021.

The Honorable Scott K. Saiki, member of the Twenty-Sixth District, having been elected Speaker of the House of Representatives on the Opening Day of the Thirty-First Legislature and retaining that position under the provision of Rule 1.5 of the Rules of the House of Representatives, called the House to order at noon, announcing:

"Members, we are convened pursuant to Article III, Section 16 of the Hawaii State Constitution, which provides that the governor shall have 45 days after adjournment of the Legislature *sine die* to consider bills considered after adjournment, and which allows the governor to return any bills with his objections. These said provisions allow the Legislature to convene at or before noon on the 45th day in special session, without call, for the sole purpose of acting upon any such bill returned by the governor.

"This day of July 6th is the 45th day after adjournment *sine die* of the Regular Session of 2021. The House will now come to order."

The invocation was delivered by Representative Della Au Belatti, after which the Roll was called showing all members present with the exception of Representatives Ilagan, McKelvey, and Nishimoto, who were excused.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 11 through 13, and 1111 through 1276) were received and announced by the Clerk and were placed on file:

Gov. Msg. No. 11, dated June 2, 2021, informing the Legislature that an agreement concerning Collective Bargaining Units 4, 13, and 14 were ratified, and that funding has been approved by the Legislature through the passage of H.B. No. 1297, HD 2, SD 2, CD 1.

Gov. Msg. No. 12, dated June 7, 2021, informing the Legislature that an agreement concerning Collective Bargaining Unit 10 was ratified, and that funding has been approved by the Legislature through the passage of H.B. No. 1297, HD 2, SD 2, CD 1.

Gov. Msg. No. 13, dated June 18, 2021, informing the Legislature that an agreement concerning Collective Bargaining Unit 5 was ratified, and that funding has been approved by the Legislature through the passage of H.B. No. 1297, HD 2, SD 2, CD 1.

Gov. Msg. No. 1111, informing the House that on May 6, 2021, the following bill was signed into law:

S.B. No. 60, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL NUMBER PLATES." (ACT 011)

Gov. Msg. No. 1112, informing the House that on May 7, 2021, the following bill was signed into law:

S.B. No. 1187, SD 2, HD 2, entitled: "A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY." (ACT 012)

Gov. Msg. No. 1113, informing the House that on May 7, 2021, the following bill was signed into law:

S.B. No. 1194, SD 1, HD 2, entitled: "A BILL FOR AN ACT MAKING EMERGENCY APPROPRIATIONS TO THE DEPARTMENT OF PUBLIC SAFETY RELATING TO COVID-19 EXPENDITURES." (ACT 013)

Gov. Msg. No. 1114, informing the House that on May 17, 2021, the following bill was signed into law:

S.B. No. 1350, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT." (ACT 014)

Gov. Msg. No. 1115, informing the House that on May 19, 2021, the following bill was signed into law:

S.B. No. 1039, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS OFFICERS, OR ITS EMPLOYEES." (ACT 015)

Gov. Msg. No. 1116, informing the House that on May 20, 2021, the following bill was signed into law:

H.B. No. 357, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATUTE OF LIMITATIONS." (ACT 016)

Gov. Msg. No. 1117, informing the House that on May 24, 2021, the following bill was signed into law:

H.B. No. 723, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PANDEMIC RESPONSE." (ACT 017)

Gov. Msg. No. 1118, informing the House that on May 25, 2021, the following bill was signed into law:

H.B. No. 961, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MILITARY DEPENDENTS." (ACT 018)

Gov. Msg. No. 1119, informing the House that on May 25, 2021, the following bill was signed into law:

H.B. No. 391, HD 3, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENTIAL LANDLORD-TENANT CODE." (ACT 019)

Gov. Msg. No. 1120, informing the House that on May 28, 2021, the following bill was signed into law:

H.B. No. 171, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PROPERTY CRIMES." (ACT 020)

Gov. Msg. No. 1121, informing the House that on May 28, 2021, the following bill was signed into law:

H.B. No. 181, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEFINITION OF PROPERTY." (ACT 021)

Gov. Msg. No. 1122, informing the House that on May 28, 2021, the following bill was signed into law:

H.B. No. 250, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT." (ACT 022)

Gov. Msg. No. 1123, informing the House that on May 28, 2021, the following bill was signed into law:

H.B. No. 282, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MINORS." (ACT 023)

Gov. Msg. No. 1124, informing the House that on May 28, 2021, the following bill was signed into law:

H.B. No. 311, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE NURSING FACILITY SUSTAINABILITY PROGRAM." (ACT 024)

Gov. Msg. No. 1125, informing the House that on May 28, 2021, the following bill was signed into law:

H.B. No. 954, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EMERGENCY MANAGEMENT AGENCY." (ACT 025)

Gov. Msg. No. 1126, informing the House that on May 28, 2021, the following bill was signed into law:

H.B. No. 975, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO REPORTS OF CHILD ABUSE." (ACT 026)

Gov. Msg. No. 1127, informing the House that on May 28, 2021, the following bill was signed into law:

H.B. No. 1237, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY." (ACT 027)

Gov. Msg. No. 1128, informing the House that on May 28, 2021, the following bill was signed into law:

S.B. No. 1150, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SKILLED NURSING FACILITY LICENSING." (ACT 028)

Gov. Msg. No. 1129, informing the House that on May 28, 2021, the following bill was signed into law:

H.B. No. 204, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS." (ACT 029)

Gov. Msg. No. 1130, informing the House that on June 7, 2021, the following bill was signed into law:

S.B. No. 189, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DOG BITES." (ACT 030)

Gov. Msg. No. 1131, informing the House that on June 7, 2021, the following bill was signed into law:

S.B. No. 343, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT OF AN ANIMAL." (ACT 031)

Gov. Msg. No. 1132, informing the House that on June 7, 2021, the following bill was signed into law:

S.B. No. 385, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM TRUST CODE." (ACT 032)

Gov. Msg. No. 1133, informing the House that on June 7, 2021, the following bill was signed into law:

S.B. No. 413, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VIOLATION OF PRIVACY." (ACT 033)

Gov. Msg. No. 1134, informing the House that on June 7, 2021, the following bill was signed into law:

S.B. No. 970, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO TELEHEALTH." (ACT 034)

Gov. Msg. No. 1135, informing the House that on June 7, 2021, the following bill was signed into law:

S.B. No. 1050, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS." (ACT 035)

Gov. Msg. No. 1136, informing the House that on June 7, 2021, the following bill was signed into law:

S.B. No. 630, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT." (ACT 036)

Gov. Msg. No. 1137, informing the House that on June 7, 2021, the following bill was signed into law:

S.B. No. 714, SD 1, HD 3, entitled: "A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS." (ACT 037)

Gov. Msg. No. 1138, informing the House that on June 7, 2021, the following bill was signed into law:

S.B. No. 819, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HOSPITAL SUSTAINABILITY PROGRAM." (ACT 038)

Gov. Msg. No. 1139, informing the House that on June 7, 2021, the following bill was signed into law:

H.B. No. 125, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE UNIFORM EMPLOYEE AND STUDENT ONLINE PRIVACY PROTECTION ACT." (ACT 039)

Gov. Msg. No. 1140, informing the House that on June 7, 2021, the following bill was signed into law:

S.B. No. 1042, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COVERED OFFENDER REGISTRATION." (ACT 040)

Gov. Msg. No. 1141, informing the House that on June 7, 2021, the following bill was signed into law:

H.B. No. 1036, HD 1, SD 2, entitled: "A BILL FOR AN ACT A BILL FOR AN ACT RELATING TO PUBLIC SAFETY." (ACT 041)

Gov. Msg. No. 1142, informing the House that on June 8, 2021, the following bill was signed into law:

S.B. No. 795, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE SMALL BOAT HARBOR FEES." (ACT 042)

Gov. Msg. No. 1143, informing the House that on June 8, 2021, the following bill was signed into law:

H.B. No. 1016, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAKING OF MARINE LIFE." (ACT 043)

Gov. Msg. No. 1144, informing the House that on June 8, 2021, the following bill was signed into law:

H.B. No. 1017, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRUSTACEANS." (ACT 044)

Gov. Msg. No. 1145, informing the House that on June 8, 2021, the following bill was signed into law:

H.B. No. 1018, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LAY NETS." (ACT 045)

Gov. Msg. No. 1146, informing the House that on June 8, 2021, the following bill was signed into law:

H.B. No. 1019, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OCEAN STEWARDSHIP." (ACT 046)

Gov. Msg. No. 1147, informing the House that on June 8, 2021, the following bill was signed into law:

H.B. No. 1022, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TAKING OF NATURAL RESOURCES." (ACT 047)

Gov. Msg. No. 1148, informing the House that on June 8, 2021, the following bill was signed into law:

H.B. No. 1023, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO A NONRESIDENT RECREATIONAL MARINE FISHING LICENSE." (ACT 048)

Gov. Msg. No. 1149, informing the House that on June 8, 2021, the following bill was signed into law:

H.B. No. 1020, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ADAPTIVE NATURAL RESOURCE MANAGEMENT." (ACT 049)

Gov. Msg. No. 1150, informing the House that on June 8, 2021, the following bill was signed into law:

S.B. No. 772, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION." (ACT 050)

Gov. Msg. No. 1151, informing the House that on June 8, 2021, the following bill was signed into law:

H.B. No. 553, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PROTECTION OF SHARKS." (ACT 051)

Gov. Msg. No. 1152, informing the House that on June 16, 2021, the following bill was signed into law:

S.B. No. 697, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO KALAUPAPA MONTH." (ACT 052)

Gov. Msg. No. 1153, informing the House that on June 16, 2021, the following bill was signed into law:

S.B. No. 939, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO JUNETEENTH DAY." (ACT 053)

Gov. Msg. No. 1154, informing the House that on June 16, 2021, the following bill was signed into law:

H.B. No. 940, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SECURITIES." (ACT 054)

Gov. Msg. No. 1155, informing the House that on June 16, 2021, the following bill was signed into law:

S.B. No. 793, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE MINIMUM WAGE." (ACT 055)

Gov. Msg. No. 1156, informing the House that on June 16, 2021, the following bill was signed into law:

H.B. No. 1192, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONSUMER PROTECTION." (ACT 056)

Gov. Msg. No. 1157, informing the House that on June 16, 2021, the following bill was signed into law:

H.B. No. 1376, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE LANDLORD-TENANT CODE." (ACT 057)

Gov. Msg. No. 1158, dated June 21, 2021, pursuant to the notice requirement of Section 16 of Article III of the Constitution of the State of Hawaii, transmitting 28 proclamations giving notice of the Governor's plan to return the following bills with his objections:

H.B. No. 53 A BILL FOR AN ACT RELATING TO STATE BONDS.

H.B. No. 54 A BILL FOR AN ACT RELATING TO THE STATE BUDGET.

H.B. No. 58 A BILL FOR AN ACT RELATING TO STATE FUNDS.

H.B. No. 200 A BILL FOR AN ACT RELATING TO THE STATE BUDGET.

H.B. No. 338 A BILL FOR AN ACT RELATING TO THE JUDICIARY.

H.B. No. 465 A BILL FOR AN ACT RELATING TO COLLECTIVE BARGAINING.

H.B. No. 515 A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION.

H.B. No. 546 A BILL FOR AN ACT RELATING TO EDUCATION.

H.B. No. 572 A BILL FOR AN ACT RELATING TO THE HAWAII EMERGENCY MANAGEMENT AGENCY.

H.B. No. 613 A BILL FOR AN ACT RELATING TO EDUCATION.

H.B. No. 663 A BILL FOR AN ACT RELATING TO THE GAME MANAGEMENT ADVISORY COMMISSION.

H.B. No. 774 A BILL FOR AN ACT RELATING TO DEVELOPMENT DISTRICTS.

H.B. No. 817 A BILL FOR AN ACT RELATING TO AGRICULTURE.

H.B. No. 862 A BILL FOR AN ACT RELATING TO STATE GOVERNMENT.

H.B. No. 895 A BILL FOR AN ACT RELATING TO CREDIT FOR TIME OF DETENTION PRIOR TO SENTENCE.

H.B. No. 1284 A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF HUMAN SERVICES.

H.B. No. 1296 A BILL FOR AN ACT RELATING TO STATE FUNDS.

H.B. No. 1299 A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS.

S.B. No. 140 A BILL FOR AN ACT RELATING TO COMMUNITY DEVELOPMENT.

S.B. No. 153 A BILL FOR AN ACT RELATING TO THE STATEWIDE TRAFFIC CODE.

S.B. No. 263 A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT.

S.B. No. 404 A BILL FOR AN ACT RELATING TO ELECTIONEERING COMMUNICATIONS.

S.B. No. 589 A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII.

S.B. No. 639 A BILL FOR AN ACT RELATING TO COURTS OF APPEAL.

S.B. No. 807 A BILL FOR AN ACT RELATING TO EDUCATION.

S.B. No. 811 A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION.

S.B. No. 1387 A BILL FOR AN ACT RELATING TO MICROCHIP IDENTIFICATION.

S.B. No. 1409 A BILL FOR AN ACT RELATING TO TRAINING IN NATIVE HAWAIIAN RIGHTS.

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 53, entitled "A Bill for an Act Relating to State Bonds," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 53 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 53 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 54, entitled "A Bill for an Act Relating to the State Budget," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 54 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 54 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 58, entitled "A Bill for an Act Relating to State Funds," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 58 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 58 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill

presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 200, entitled "A Bill for an Act Relating to the State Budget," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, under Section 16 of Article III, the Governor may veto any specific item or items, except for items to be expended by the Legislative and Judicial Branches, in any bill that appropriates money for specific purposes by striking out or reducing the same; and

WHEREAS, House Bill No. 200 appropriates money for specific purposes and certain appropriation items in that bill are unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 200 with my objections to certain appropriation items contained therein to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 338, entitled "A Bill for an Act Relating to the Judiciary," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 338 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 338 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 465, entitled "A Bill for an Act Relating to Collective Bargaining," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 465 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 465 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 515, entitled "A Bill for an Act Relating to the Department of Education," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 515 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 515 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 546, entitled "A Bill for an Act Relating to Education," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 546 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 546 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 572, entitled "A Bill for an Act Relating to the Hawaii Emergency Management Agency," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 572 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 572 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 613, entitled "A Bill for an Act Relating to Education," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 613 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 613 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 663, entitled "A Bill for an Act Relating to the Game Management Advisory Commission," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 663 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 663 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 774, entitled "A Bill for an Act Relating to Development Districts," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 774 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 774 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 817, entitled "A Bill for an Act Relating to Agriculture," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 817 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 817 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 862, entitled "A Bill for an Act Relating to State Government," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 862 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 862 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 895, entitled "A Bill for an Act Relating to Credit for Time of Detention Prior to Sentence," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 895 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 895 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1284, entitled "A Bill for an Act Relating to the Department of Human Services," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1284 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 1284 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1296, entitled "A Bill for an Act Relating to State Funds," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1296 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 1296 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st

day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, House Bill No. 1299, entitled "A Bill for an Act Relating to Non-General Funds," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, House Bill No. 1299 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return House Bill No. 1299 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 140, entitled "A Bill for an Act Relating to Community Development," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 140 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return Senate Bill No. 140 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 153, entitled "A Bill for an Act Relating to the Statewide Traffic Code," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 153 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving

notice of my plan to return Senate Bill No. 153 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 263, entitled "A Bill for an Act Relating to Economic Development," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 263 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return Senate Bill No. 263 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 404, entitled "A Bill for an Act Relating to Electioneering Communications," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 404 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return Senate Bill No. 404 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 589, entitled "A Bill for an Act Relating to the University of Hawaii," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 589 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return Senate Bill No. 589 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS Senate Bill No. 639, entitled "A Bill for an Act Relating to Courts of Appeal," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 639 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return Senate Bill No. 639 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 807, entitled "A Bill for an Act Relating to Education," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 807 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return Senate Bill No. 807 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill

presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 811, entitled "A Bill for an Act Relating to the Department of Education," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 811 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return Senate Bill No. 811 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1387, entitled "A Bill for an Act Relating to Microchip Identification," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1387 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return Senate Bill No. 1387 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

"P R O C L A M A T I O N"

WHEREAS, under Section 16 of Article III of the Constitution of the State of Hawai'i, the Governor is required to give notice, by a proclamation, of the Governor's plan to return with the Governor's objections any bill presented to the Governor less than ten days before adjournment sine die or presented to the Governor after adjournment sine die of the Legislature; and

WHEREAS, Senate Bill No. 1409, entitled "A Bill for an Act Relating to Training in Native Hawaiian Rights," passed by the Legislature, was presented to the Governor within the aforementioned period; and

WHEREAS, Senate Bill No. 1409 is unacceptable to the Governor of the State of Hawai'i;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai'i, do hereby issue this proclamation, pursuant to the provisions of Section 16 of Article III of the Constitution of the State of Hawai'i, giving notice of my plan to return Senate Bill No. 1409 with my objections thereon to the Legislature as provided by said Section 16 of Article III of the Constitution.

DONE at the State Capitol, Honolulu,
State of Hawai'i, this 21st
day of June, 2021.

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1159, informing the House that on June 23, 2021, the following bill was signed into law:

H.B. No. 345, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ASSISTED COMMUNITY TREATMENT." (ACT 058)

Gov. Msg. No. 1160, informing the House that on June 23, 2021, the following bill was signed into law:

S.B. No. 309, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PRIVACY." (ACT 059)

Gov. Msg. No. 1161, informing the House that on June 23, 2021, the following bill was signed into law:

S.B. No. 412, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO OPERATING A VEHICLE UNDER THE INFLUENCE OF AN INTOXICANT." (ACT 060)

Gov. Msg. No. 1162, informing the House that on June 23, 2021, the following bill was signed into law:

S.B. No. 386, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DETENTION OF A MINOR IN AN ADULT JAIL OR LOCKUP." (ACT 061)

Gov. Msg. No. 1163, informing the House that on June 23, 2021, the following bill was signed into law:

S.B. No. 664, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SAFETY." (ACT 062)

Gov. Msg. No. 1164, informing the House that on June 23, 2021, the following bill was signed into law:

H.B. No. 73, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY WORKERS." (ACT 063)

Gov. Msg. No. 1165, informing the House that on June 23, 2021, the following bill was signed into law:

H.B. No. 77, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LANDS CONTROLLED BY THE STATE." (ACT 064)

Gov. Msg. No. 1166, informing the House that on June 23, 2021, the following bill was signed into law:

H.B. No. 78, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNDERGROUND CONSTRUCTION OF HIGH-VOLTAGE ELECTRIC TRANSMISSION LINES." (ACT 065)

Gov. Msg. No. 1167, informing the House that on June 23, 2021, the following bill was signed into law:

H.B. No. 136, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIQUOR LICENSES." (ACT 066)

Gov. Msg. No. 1168, transmitting his statement of objections to specific items contained in H.B. No. 200, HD 1, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

June 23, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 200

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 200, entitled "A Bill for an Act Relating to the State Budget."

The purpose of this bill is to appropriate funds for the operating and capital improvement program budgets of the Executive Branch for fiscal years 2021-2022 and 2022-2023.

While the bill as a whole has merit, I object to the following appropriations for the reasons indicated:

1. The \$345,000 appropriation for fiscal year 2021-2022 and the \$345,000 appropriation for fiscal year 2022-2023, both funded from moneys from the American Rescue Plan Act of 2021 (ARPA), Pub. L. No. 117-2, to be used for a medical cannabis public education campaign, designated in section 3, item E-6, page 23, on line 26, of the bill. I note that federal funds cannot be used by the medical cannabis program, because cannabis remains illegal under federal law.

2. The \$134,000 appropriation for fiscal year 2021-2022 and the \$1,137,000 appropriation for fiscal year 2022-2023, both funded from moneys from ARPA, to be used as matching funds by the Department of Human Services for satisfying the federal matching funds requirements, designated in section 3, item F-27, on page 32, line 8, of the bill. According to the federal guidance regarding the spending of ARPA moneys, such funds cannot be used to satisfy the nonfederal matching requirements.

3. The \$160,020,792 appropriation for fiscal year 2021-2022 and the \$153,659,250 appropriation for fiscal year 2022-2023, both funded from moneys from ARPA, to be used for debt service payments, designated in section 3, item K-17, on page 48, line 17, of the bill. According to the federal guidance regarding the spending of ARPA moneys, such funds cannot be used for the payment of debt service.

Section 16 of Article III of the State Constitution provides that, "[e]xcept for items appropriated to be expended by the judicial and legislative branches, the governor may veto any specific item or items in any bill which appropriates money for specific purposes by striking out or reducing the same." Because of the foregoing objections, I have taken the following actions pursuant to my line item veto authority:

1. Stricken out the \$345,000 appropriation made from ARPA moneys for fiscal year 2021-2022 to be used for a medical cannabis public education campaign (on page 23, line 26) and changed it to \$0.

2. Stricken out the \$345,000 appropriation made from ARPA moneys for fiscal year 2022-2023 to be used for a medical cannabis public education campaign (on page 23, line 26) and changed it to \$0.

3. Stricken out the \$134,000 appropriation made from ARPA moneys for fiscal year 2021-2022 to be used as matching funds by the Department of Human Services for satisfying the federal matching funds requirements (on page 32, line 8) and changed it to \$0.

4. Stricken out the \$1,137,000 appropriation made from ARPA moneys for fiscal year 2022-2023 to be used as matching funds by the Department of Human Services for satisfying the federal matching funds requirements (on page 32, line 8) and changed it to \$0.

5. Stricken out the \$160,020,792 appropriation made from ARPA moneys for fiscal year 2021-2022 to be used for the payment of debt service (on page 48, line 17) and changed it to \$0.

6. Stricken out the \$153,659,250 appropriation made from ARPA moneys for fiscal year 2022-2023 to be used for the payment of debt service (on page 48, line 17) and changed it to \$0.

For the foregoing reasons, I am returning House Bill No. 200 with the appropriations made from ARPA moneys for fiscal years 2021 -2022 and 2022-2023 totaling \$315,641 ,042, stricken from the bill.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

[Note: The entire returned H.B. No. 200 is available online in the Governor's Messages section of 2021 Reports and Lists:
https://www.capitol.hawaii.gov/session2021/bills/GM1168_.pdf]

HOUSE OF REPRESENTATIVES
THIRTY-FIRST LEGISLATURE, 2021
STATE OF HAWAII

ORIGINAL

H.B. NO. 200
H.D. 1
S.D. 1
C.D. 1

Page 32

H.B. NO. 200
H.D. 1
S.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO THE STATE BUDGET.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 **PART I. GENERAL PROVISIONS**
- 2 **SECTION 1. SHORT TITLE.** This Act shall be known and may
- 3 be cited as the General Appropriations Act of 2021.
- 4 **SECTION 2. DEFINITIONS.** Unless otherwise clear from the
- 5 context, as used in this Act:
- 6 "Capital project number" means the official number of the
- 7 capital project, as assigned by the responsible organization.
- 8 "Expending agency" means the executive department,
- 9 independent commission, bureau, office, board, or other
- 10 establishment of the state government (other than the
- 11 legislature, Office of Hawaiian Affairs, and judiciary), the
- 12 political subdivisions of the State, or any quasi-public
- 13 institution supported in whole or in part by state funds, which
- 14 is authorized to expend specified appropriations made by this
- 15 Act.
- 16 Abbreviations, where used to denote the expending agency,
- 17 shall mean the following:

HB200 CD1



Page 23

H.B. NO. 200
H.D. 1
S.D. 1
C.D. 1

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2021-2022	M O F	FISCAL YEAR 2022-2023	M O F
1				119.50*		119.50*	
2				12.30#		12.30#	
3			HTH	38,710,996N		40,094,927N	
4			HTH	203,441U		203,441U	
5			HTH	2,383,931V		V	
6				16.00*		16.00*	
7				11.70#		11.70#	
8			HTH	12,586,440P		12,586,440P	
9							
10	5.	HTH590 - CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION		38.50*		38.50*	
11				3.00#		3.00#	
12		OPERATING	HTH	6,536,328A		6,536,328A	
13			HTH	48,706,356B		48,706,356B	
14				1.00*		1.00*	
15				1.00#		1.00#	
16			HTH	1,177,177U		1,177,177U	
17				9.50*		9.50*	
18				21.50#		21.50#	
19			HTH	6,829,854P		6,829,854P	
20							
21	6.	HTH595 - HEALTH RESOURCES ADMINISTRATION		16.00*		16.00*	
22				5.00#		5.00#	
23		OPERATING	HTH	2,580,742A		2,779,226A	
24			HTH	345,000U		345,000U	
25							
26							
27							
28	7.	HTH210 - HAWAII HEALTH SYSTEMS CORPORATION - CORPORATE OFFICE		54.50*		54.50*	
29		OPERATING	HTH	17,509,280B		17,509,280B	
30							
31	8.	HTH211 - KAHUKU HOSPITAL		1,800,000A		1,800,000A	
32		OPERATING	HTH	1,000,000C		1,000,000C	
33		INVESTMENT CAPITAL	HTH	500,000V		V	
34							
35							
36							
37	9.	HTH212 - HAWAII HEALTH SYSTEMS CORPORATION - REGIONS		92,970,903A		92,970,903A	
38		OPERATING	HTH	2,780.75*		2,780.75*	
39			HTH	580,483,912B		580,483,912B	
40			HTH	33,615,400V		32,315,400V	
41		INVESTMENT CAPITAL	AGS	2,500,000C		3,000,000C	
42							

HB200 CD1



23

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2021-2022	M O F	FISCAL YEAR 2022-2023	M O F
1				5.50#		5.50#	
2		OPERATING	HMS	14,365,947A		13,362,947A	
3				0.56*		0.56*	
4			HMS	1,546,792B		1,546,792B	
5				144.69*		144.69*	
6				17.50#		17.50#	
7			HMS	80,336,597N		80,336,597N	
8			HMS	1,137,000U		1,137,000U	
9			HMS	900,000P		900,000P	
10							
11	28.	HMS903 - GENERAL SUPPORT FOR SELF-SUFFICIENCY SERVICES		47.08*		47.08*	
12				1.59#		1.59#	
13		OPERATING	HMS	36,629,251A		36,629,251A	
14				42.92*		42.92*	
15				1.41#		1.41#	
16			HMS	75,551,067N		75,551,067N	
17			HMS	3,000P		3,000P	
18							
19	29.	HMS904 - GENERAL ADMINISTRATION - DHS		140.30*		140.30*	
20				10.00#		10.00#	
21		OPERATING	HMS	11,385,514A		11,385,514A	
22				29.70*		29.70*	
23			HMS	4,539,101N		4,539,101N	
24				1.00#		1.00#	
25			HMS	77,064V		77,064V	
26			HMS	1,500P		1,500P	
27							
28	30.	HMS901 - GENERAL SUPPORT FOR SOCIAL SERVICES		18.25*		18.25*	
29				8.75*		8.75*	
30		OPERATING	HMS	2,224,695A		2,224,695A	
31				2,004,992N		2,004,992N	
32							
33							
34							
35							
36							

HB200 CD1



Page 48

H.B. NO. 200
H.D. 1
S.D. 1
C.D. 1

PROGRAM APPROPRIATIONS

ITEM NO.	PROG. ID	PROGRAM	EXPENDING AGENCY	APPROPRIATIONS			
				FISCAL YEAR 2021-2022	M O F	FISCAL YEAR 2022-2023	M O F
1				13.00*		13.00*	
2		OPERATING	AGS	1,047,547A		1,047,547A	
3							
4	15.	AGS104 - INTERNAL POST AUDIT		7.00*		7.00*	
5				3.00#		3.00#	
6		OPERATING	AGS	763,311A		763,311A	
7							
8	16.	BUF115 - FINANCIAL ADMINISTRATION		15.00*		15.00*	
9			BUF	2,170,800A		2,170,800A	
10		OPERATING	BUF	9.00*		9.00*	
11			BUF	11,738,988T		11,738,988T	
12							
13	17.	BUF721 - DEBT SERVICE PAYMENTS - STATE		227,286,366A		233,647,908A	
14		OPERATING	BUF	160,020,722U		153,659,250U	
15			BUF				
16	18.	ATG100 - LEGAL SERVICES		260.58*		259.58*	
17				22.20#		22.20#	
18		OPERATING	ATG	26,316,634A		26,173,710A	
19				24.40*		24.40*	
20			ATG	0.22#		0.22#	
21			ATG	3,879,671B		3,991,921B	
22				5.70#		5.70#	
23			ATG	11,880,146N		11,880,146N	
24				0.50*		0.50*	
25			ATG	4,040,135T		4,040,135T	
26				117.60*		117.60*	
27				30.60#		30.60#	
28			ATG	18,957,676U		18,957,676U	
29				5.60*		5.60*	
30				1.00#		1.00#	
31			ATG	3,379,975W		3,379,975W	
32				20.10*		20.10*	
33				1.00#		1.00#	
34			ATG	4,117,085P		4,117,085P	
35							
36							
37	19.	AGS131 - ENTERPRISE TECHNOLOGY SERVICES - OPERATIONS AND INFRASTRUCTURE MAINTENANCE		96.00*		96.00*	
38							
39							
40							
41							
42							

HB200 CD1



48

Gov. Msg. No. 1169, informing the House that on June 24, 2021, the following bill was signed into law:

S.B. No. 834, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHILDLIKE SEX DOLLS." (ACT 067)

Gov. Msg. No. 1170, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 887, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIME." (ACT 068)

Gov. Msg. No. 1171, informing the House that on June 24, 2021, the following bill was signed into law:

S.B. No. 828, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DIVORCE." (ACT 069)

Gov. Msg. No. 1172, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 929, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO QUALIFIED DOMESTIC RELATIONS ORDERS." (ACT 070)

Gov. Msg. No. 1173, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 930, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYEES' RETIREMENT SYSTEM INVESTMENTS." (ACT 071)

Gov. Msg. No. 1174, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 941, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE USE OF ELECTRONIC FILING BY THE PUBLIC UTILITIES COMMISSION." (ACT 072)

Gov. Msg. No. 1175, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 424, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PROCUREMENT OF CONTRACTS FOR VEHICLE RENTAL." (ACT 073)

Gov. Msg. No. 1176, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 552, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE ENVIRONMENT." (ACT 074)

Gov. Msg. No. 1177, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 1142, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY." (ACT 075)

Gov. Msg. No. 1178, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 149, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO GIFT CERTIFICATES." (ACT 076)

Gov. Msg. No. 1179, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 247, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS." (ACT 077)

Gov. Msg. No. 1180, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 286, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO REAL ESTATE INVESTMENT TRUSTS." (ACT 078)

Gov. Msg. No. 1181, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 352, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO SECONDHAND DEALERS." (ACT 079)

Gov. Msg. No. 1182, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 471, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO BEHAVIOR ANALYSTS." (ACT 080)

Gov. Msg. No. 1183, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 631, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FINANCIAL HARDSHIP." (ACT 081)

Gov. Msg. No. 1184, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 561, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY." (ACT 082)

Gov. Msg. No. 1185, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 599, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ASSOCIATION GOVERNANCE." (ACT 083)

Gov. Msg. No. 1186, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 670, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM." (ACT 084)

Gov. Msg. No. 1187, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 824, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INTOXICATING LIQUOR." (ACT 085)

Gov. Msg. No. 1188, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 869, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST LUANA KAI A LIFE PLAN COMMUNITY." (ACT 086)

Gov. Msg. No. 1189, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 1298, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FUNDS." (ACT 087)

Gov. Msg. No. 1190, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 200, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET." (ACT 088)

Gov. Msg. No. 1191, informing the House that on June 25, 2021, the following bill was signed into law:

H.B. No. 1041, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE." (ACT 089)

Gov. Msg. No. 1192, informing the House that on June 25, 2021, the following bill was signed into law:

H.B. No. 1043, HD 3, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX." (ACT 090)

Gov. Msg. No. 1193, informing the House that on June 25, 2021, the following bill was signed into law:

H.B. No. 1086, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO VETERINARIANS." (ACT 091)

Gov. Msg. No. 1194, informing the House that on June 25, 2021, the following bill was signed into law:

H.B. No. 1333, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ENERGY." (ACT 092)

Gov. Msg. No. 1195, informing the House that on June 25, 2021, the following bill was signed into law:

H.B. No. 1352, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SURPLUS MILITARY LAND." (ACT 093)

Gov. Msg. No. 1196, informing the House that on June 25, 2021, the following bill was signed into law:

S.B. No. 186, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RESTRICTIONS ON AGRICULTURAL USES AND ACTIVITIES." (ACT 094)

Gov. Msg. No. 1197, informing the House that on June 25, 2021, the following bill was signed into law:

S.B. No. 225, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INFRASTRUCTURE IMPROVEMENT DISTRICTS." (ACT 095)

Gov. Msg. No. 1198, informing the House that on June 25, 2021, the following bill was signed into law:

S.B. No. 320, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX RETURN PREPARERS." (ACT 096)

Gov. Msg. No. 1199, informing the House that on June 25, 2021, the following bill was signed into law:

S.B. No. 324, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PRACTICE OF MEDICINE." (ACT 097)

Gov. Msg. No. 1200, informing the House that on June 25, 2021, the following bill was signed into law:

S.B. No. 329, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONDOMINIUMS." (ACT 098)

Gov. Msg. No. 1201, informing the House that on June 25, 2021, the following bill was signed into law:

S.B. No. 384, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX APPEALS." (ACT 099)

Gov. Msg. No. 1202, informing the House that on June 25, 2021, the following bill was signed into law:

S.B. No. 489, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL BUILDINGS." (ACT 100)

Gov. Msg. No. 1203, informing the House that on June 25, 2021, the following bill was signed into law:

S.B. No. 506, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS TO ASSIST WAHIWA GENERAL HOSPITAL." (ACT 101)

Gov. Msg. No. 1204, informing the House that on June 25, 2021, the following bill was signed into law:

S.B. No. 599, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MASSAGE THERAPISTS." (ACT 102)

Gov. Msg. No. 1205, informing the House that on June 25, 2021, the following bill was signed into law:

S.B. No. 696, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE FESTIVAL OF PACIFIC ARTS." (ACT 103)

Gov. Msg. No. 1206, informing the House that on June 25, 2021, the following bill was signed into law:

S.B. No. 766, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR CARRIER PENALTIES." (ACT 104)

Gov. Msg. No. 1207, informing the House that on June 28, 2021, the following bill was signed into law:

H.B. No. 943, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NONDEPOSITORY TRUSTS." (ACT 105)

Gov. Msg. No. 1208, informing the House that on June 24, 2021, the following bill was signed into law:

H.B. No. 1297, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE FINANCES." (ACT 106)

Gov. Msg. No. 1209, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 932, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT, AND TOURISM." (ACT 107)

Gov. Msg. No. 1210, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 973, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HAWAII MONEY TRANSMITTER ACT." (ACT 108)

Gov. Msg. No. 1211, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 1053, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY-BASED ECONOMIC DEVELOPMENT TECHNICAL AND FINANCIAL ASSISTANCE PROGRAM." (ACT 109)

Gov. Msg. No. 1212, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 1096, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE." (ACT 110)

Gov. Msg. No. 1213, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 1098, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE REGULATORY AUTHORITY OF THE INSURANCE COMMISSIONER." (ACT 111)

Gov. Msg. No. 1214, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 1100, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE DATA SECURITY." (ACT 112)

Gov. Msg. No. 1215, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 1102, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MIXED MARTIAL ARTS." (ACT 113)

Gov. Msg. No. 1216, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 1103, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PEER REVIEW OVERSIGHT COMMITTEE." (ACT 114)

Gov. Msg. No. 1217, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 1196, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WITHHOLDING TAX." (ACT 115)

Gov. Msg. No. 1218, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 1202, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAXATION." (ACT 116)

Gov. Msg. No. 1219, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 1203, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TITLE 14, HAWAII REVISED STATUTES." (ACT 117)

Gov. Msg. No. 1220, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 1204, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TAX APPEALS." (ACT 118)

Gov. Msg. No. 1221, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 1340, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EMERGENCY MEDICAL SERVICES." (ACT 119)

Gov. Msg. No. 1222, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 1412, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS FOR THE HONOKEA SURF VILLAGE." (ACT 120)

Gov. Msg. No. 1223, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 1421, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO DUAL USE TECHNOLOGY." (ACT 121)

Gov. Msg. No. 1224, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 1212, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE REGISTRATION." (ACT 122)

Gov. Msg. No. 1225, informing the House that on June 28, 2021, the following bill was signed into law:

H.B. No. 1062, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO COMMERCIAL DRIVER'S LICENSES." (ACT 123)

Gov. Msg. No. 1226, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 151, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO [sic] STATEWIDE TRAFFIC CODE." (ACT 124)

Gov. Msg. No. 1227, informing the House that on June 28, 2021, the following bill was signed into law:

H.B. No. 1081, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SIDEWALKS." (ACT 125)

Gov. Msg. No. 1228, informing the House that on June 28, 2021, the following bill was signed into law:

S.B. No. 159, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VOTING." (ACT 126)

Gov. Msg. No. 1229, informing the House that on June 30, 2021, the following bill was signed into law:

H.B. No. 185, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY." (ACT 127)

Gov. Msg. No. 1230, informing the House that on June 30, 2021, the following bill was signed into law:

H.B. No. 601, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRAFFIC CODE." (ACT 128)

Gov. Msg. No. 1231, informing the House that on June 30, 2021, the following bill was signed into law:

S.B. No. 57, SD 2, HD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO VEHICLE INSPECTIONS." (ACT 129)

Gov. Msg. No. 1232, informing the House that on June 30, 2021, the following bill was signed into law:

S.B. No. 1291, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION." (ACT 130)

Gov. Msg. No. 1233, informing the House that on June 30, 2021, the following bill was signed into law:

S.B. No. 1402, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION." (ACT 131)

Gov. Msg. No. 1234, informing the House that on June 30, 2021, the following bill was signed into law:

H.B. No. 264, HD 1, SD 3, CD 1, entitled: "A BILL FOR AN ACT RELATING TO TRANSPORTATION NETWORK COMPANIES." (ACT 132)

Gov. Msg. No. 1235, informing the House that on June 30, 2021, the following bill was signed into law:

H.B. No. 766, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF TRANSPORTATION." (ACT 133)

Gov. Msg. No. 1236, informing the House that on June 30, 2021, the following bill was signed into law:

S.B. No. 651, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO RENAMING KAHULUI AIRPORT ACCESS ROAD." (ACT 134)

Gov. Msg. No. 1237, informing the House that on June 30, 2021, the following bill was signed into law:

S.B. No. 934, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MEASUREMENT STANDARDS." (ACT 135)

Gov. Msg. No. 1238, informing the House that on June 30, 2021, the following bill was signed into law:

S.B. No. 336, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL LOANS." (ACT 136)

Gov. Msg. No. 1239, informing the House that on June 30, 2021, the following bill was signed into law:

H.B. No. 237, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO INVASIVE SPECIES." (ACT 137)

Gov. Msg. No. 1240, informing the House that on June 30, 2021, the following bill was signed into law:

S.B. No. 855, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COFFEE PEST CONTROL." (ACT 138)

Gov. Msg. No. 1241, informing the House that on June 30, 2021, the following bill was signed into law:

H.B. No. 469, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE TRANSFER OF NON-AGRICULTURAL PARK LANDS." (ACT 139)

Gov. Msg. No. 1242, informing the House that on June 30, 2021, the following bill was signed into law:

H.B. No. 1311, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING." (ACT 140)

Gov. Msg. No. 1243, informing the House that on June 30, 2021, the following bill was signed into law:

H.B. No. 1102, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO LITTER CONTROL." (ACT 141)

Gov. Msg. No. 1244, informing the House that on June 30, 2021, the following bill was signed into law:

H.B. No. 1021, HD 1, SD 2, entitled: "A BILL FOR AN ACT RELATING TO THE INTERSTATE WILDLIFE VIOLATOR COMPACT." (ACT 142)

Gov. Msg. No. 1245, informing the House that on June 30, 2021, the following bill was signed into law:

H.B. No. 1028, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE KOKE'E STATE PARK ADVISORY COUNCIL." (ACT 143)

Gov. Msg. No. 1246, informing the House that on June 30, 2021, the following bill was signed into law:

H.B. No. 1029, SD 1, entitled: "A BILL FOR AN ACT RELATING TO LIVING PARK PLANNING COUNCILS." (ACT 144)

Gov. Msg. No. 1247, informing the House that on June 30, 2021, the following bill was signed into law:

H.B. No. 1030, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE AQUATIC LIFE AND WILDLIFE ADVISORY COMMITTEES." (ACT 145)

Gov. Msg. No. 1248, informing the House that on June 30, 2021, the following bill was signed into law:

H.B. No. 1348, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STADIUM DEVELOPMENT DISTRICT." (ACT 146)

Gov. Msg. No. 1249, informing the House that on July 1, 2021, the following bill was signed into law:

H.B. No. 490, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMES AGAINST SENIORS." (ACT 147)

Gov. Msg. No. 1250, informing the House that on July 1, 2021, the following bill was signed into law:

H.B. No. 31, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS." (ACT 148)

Gov. Msg. No. 1251, informing the House that on July 1, 2021, the following bill was signed into law:

H.B. No. 1366, HD 1, entitled: "A BILL FOR AN ACT RELATING TO FIREARMS." (ACT 149)

Gov. Msg. No. 1252, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 936, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC HEALTH." (ACT 150)

Gov. Msg. No. 1253, informing the House that on July 1, 2021, the following bill was signed into law:

H.B. No. 313, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PHYSICIAN WORKFORCE ASSESSMENT." (ACT 151)

Gov. Msg. No. 1254, informing the House that on July 1, 2021, the following bill was signed into law:

H.B. No. 1318, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY." (ACT 152)

Gov. Msg. No. 1255, informing the House that on July 1, 2021, the following bill was signed into law:

H.B. No. 1149, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO LAND USE." (ACT 153)

Gov. Msg. No. 1256, informing the House that on July 1, 2021, the following bill was signed into law:

H.B. No. 541, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH." (ACT 154)

Gov. Msg. No. 1257, informing the House that on July 1, 2021, the following bill was signed into law:

H.B. No. 1283, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO HEALTH." (ACT 155)

Gov. Msg. No. 1258, informing the House that on July 1, 2021, the following bill was signed into law:

H.B. No. 1291, HD 1, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SCHOLARSHIPS." (ACT 156)

Gov. Msg. No. 1259, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 224, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 157)

Gov. Msg. No. 1260, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 242, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 158)

Gov. Msg. No. 1261, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 244, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO FOOD DONATION." (ACT 159)

Gov. Msg. No. 1262, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 345, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COSMETICS." (ACT 160)

Gov. Msg. No. 1263, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 348, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO BOTTLED WATER." (ACT 161)

Gov. Msg. No. 1264, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 367, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO WATER QUALITY." (ACT 162)

Gov. Msg. No. 1265, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 516, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 163)

Gov. Msg. No. 1266, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 538, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII CIVIL RIGHTS COMMISSION." (ACT 164)

Gov. Msg. No. 1267, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 806, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL LANDS." (ACT 165)

Gov. Msg. No. 1268, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 813, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS." (ACT 166)

Gov. Msg. No. 1269, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 814, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CHARTER SCHOOLS." (ACT 167)

Gov. Msg. No. 1270, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 873, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTESTED CASES." (ACT 168)

Gov. Msg. No. 1271, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 1139, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE OFFICE OF MEDICAL CANNABIS CONTROL AND REGULATION." (ACT 169)

Gov. Msg. No. 1272, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 1220, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS." (ACT 170)

Gov. Msg. No. 1273, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 1222, SD 2, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE CONFERENCE CENTER REVOLVING FUND." (ACT 171)

Gov. Msg. No. 1274, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 1225, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS INDEPENDENT AUDIT COMMITTEE." (ACT 172)

Gov. Msg. No. 1275, informing the House that on July 1, 2021, the following bill was signed into law:

S.B. No. 1384, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION." (ACT 173)

Gov. Msg. No. 1276, informing the House that on July 1, 2021, the following bill was signed into law:

H.B. No. 72, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC FOOT SCOOTERS." (ACT 174)

At this time, the Chair stated:

"Alright members, we will be taking a recess until 2:30 p.m. today."

At 12:05 p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:34 p.m.

At this time, the Chair stated:

"Members, before we proceed with the calendar, we will be taking a brief recess."

At 2:34 p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 2:47 p.m.

SUPPLEMENTAL CALENDAR #1

ORDER OF THE DAY

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 1277 through 1302) were received and announced by the Clerk:

Gov. Msg. No. 1277, transmitting his statement of objections to H.B. No. 53, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 53

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 53, entitled "A Bill for an Act Relating to State Bonds."

The purpose of this bill is to authorize the issuance of general obligation bonds by the State. Further, this bill declares the Legislature's findings with respect to this bond authorization as required by Section 13 of Article VII of the Hawaii State Constitution.

This bill is objectionable because there is insufficient funding for the debt service on the amount of general obligation bonds proposed by this bill and the associated general obligation bond declaration, which renders them invalid.

House Bill No. 54, entitled "A Bill for an Act Relating to the State Budget," and House Bill No. 200, entitled "A Bill for an Act Relating to the State Budget," the General Appropriations Act of 2021, approved as Act 88, both appropriate moneys from the American Rescue Plan Act of 2021 (ARPA), Pub. L. No. 117-2, §9901, 135 Stat. 4, 223 (2021), for debt service payments for fiscal years 2021-2022 and 2022-2023. However, according to the federal guidance regarding the spending of ARPA moneys, such funds cannot be used for the payment of debt service. Consequently, general funds must be substituted for the ARPA moneys to pay debt service.

To correct this situation, in my statement of objections to House Bill No. 54, I stated that the appropriation of general funds must be made for fiscal year 2021-2022 for the payment of debt service in the amount of \$238,944,470. In addition, I stated that the appropriation of general funds must be made for fiscal year 2022-2023 for the payment of debt service in the amount of \$257,446,927. If those general fund appropriations are not made to provide for debt service payments, then this bill is objectionable because the State would not be able to issue the general obligation bonds authorized by this bill due to the insufficient funding for the debt service payments. If the Legislature is able to meet my objections with respect to debt service in House Bill No. 54, I would likely no longer have objections to this bill, however, to allow sufficient time to correct the errors in House Bill No. 54, the effective date of this bill is objectionable because the funding for this bill is contingent on the corrections to House Bill No. 54. To correct that situation, the effective date of this bill would have to be delayed to provide sufficient time to ensure House Bill No. 54 is enacted prior to this bill being enacted.

For the foregoing reasons, I am returning House Bill No. 53 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1278, transmitting his statement of objections to H.B. No. 54, HD 1, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 54

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 54, entitled "A Bill for an Act Relating to the State Budget."

The purposes of this bill are to:

1. Appropriate \$250,000,000 in general funds for fiscal year 2020-2021 to be deposited into the Emergency and Budget Reserve Fund;

2. Appropriate \$390,000,000 in general funds for fiscal year 2020-2021 for the actuarially required contribution for other post-employment benefits;

3. Amend House Bill No. 200, entitled "A Bill for an Act Relating to the State Budget," the General Appropriations Act of 2021, approved as Act 88, to:

(a) Appropriate \$78,923,678 in general funds for fiscal year 2021-2022 for debt service payments;

(b) Appropriate \$103,787,677 in moneys from the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) under the American Rescue Plan

Act of 2021 (ARPA), Pub. L. No. 117-2, §9901, 135 Stat. 4, 223 (2021), for fiscal year 2022-2023 for debt service payments; and

(c) Make the bill effective upon its approval; provided that the deposit into the Emergency and Budget Reserve Fund and appropriation for other post-employment benefits take effect retroactively on June 30, 2021.

This bill is objectionable for the following reasons:

Funding for Debt Service

This bill is objectionable because the moneys from the SLFRF cannot be used for the payment of debt service, and as a result, the bill understates the amount of moneys necessary for the payment of debt service for fiscal years 2021-2022 and 2022-2023. The payment of debt service is a primary obligation of the State required by law. The amounts required to pay the debt service are \$238,944,470 for fiscal year 2021-2022 and \$257,446,927 for fiscal year 2022-2023. The bill amends House Bill No. 200 by adding an appropriation of \$78,923,678 from general funds for debt service payments for fiscal year 2021-2022 and an appropriation of \$103,787,677 for debt service payments from the SLFRF for fiscal year 2022-2023.

House Bill No. 200 provided the balances of the total amounts due for each fiscal year for debt service payments, \$160,020,792 for fiscal year 2021-2022 and \$153,659,250 for fiscal year 2022-2023. However, I needed to line-item veto those appropriations for debt service payments in House Bill No. 200 because both of those items were funded by moneys from the funds established under the ARPA. The use of SLFRF for debt service payment is prohibited by the final interim rules on the SLFRF, issued by the United States Treasury (Treasury) on May 1, 2021 (codified at 31 C.F.R. 35.6) (the day after the session ended), and there are no other funds established under the ARPA that the State is allowed to use for debt service payments. Consequently, general funds must be substituted for the appropriations from the ARPA to pay debt service in the correct amounts of \$238,944,470 (\$78,923,678 + \$160,020,792) for fiscal year 2021-2022 and \$257,446,927 (\$103,787,677 + \$153,659,250) for fiscal year 2022-2023. It would be appropriate to amend this bill to rectify the improper use of SLFRF funds appropriated in the bill, by adding the correct amount of general funds necessary for debt service payments to meet the State's obligations.

Notably, the lack of sufficient funding for debt service payments has consequences beyond this bill. In addition to the State's inability to satisfy its debt service payment obligations, the deficiency in funding hinders the State from satisfying the bond authorization requirements of House Bill No. 53, entitled "A Bill for an Act Relating to State Bonds," and thus from issuing general obligation bonds to fund various capital improvement projects that are authorized in House Bill No. 200 and House Bill No. 185, entitled "A Bill for an Act Relating to the Judiciary," the Judiciary Appropriations Act of 2021. If these bond authorization requirements are unmet, the State cannot issue general obligation bonds and the capital improvement projects cannot commence. Therefore, it is critical to appropriate general funds for the debt service payments for fiscal years 2021-2022 and 2022-2023.

In addition to my objections to the lack of sufficient appropriation of general funds and the appropriation of ARPA funds to pay for debt service, I also object to other instances where no appropriation has been made and/or where the ARPA funds that have been appropriated are inconsistent with the final interim rules published after the session had ended, and some clarifying action is needed to maintain the uninterrupted operation of important State functions.

Funding for the Major Disaster Fund

This bill is objectionable because it did not include funding for the Major Disaster Fund when it amended House Bill No. 200. The Major Disaster Fund is a statutorily established fund in the Department of Defense to provide initial funding to respond to emergencies and disasters in Hawai'i. I believe that not having funding will have a major detrimental impact on the Department of Defense's ability to respond to emergency situations when people's lives and properties are at stake. It would be imprudent for the Department of Defense not to have immediate access to funds to address a crisis. Waiting for identification of surplus funds and delays in securing those funds could jeopardize fast response to emergency situations. At minimum, funding for the Major Disaster Fund should include a general fund appropriation of \$5,000,000 for fiscal year 2021-2022 and \$5,000,000 for fiscal year 2022-2023 to insure moneys are readily available to meet this critical need.

Funding for Essential Programs and Services

Additionally, there were objectionable appropriations of federal ARPA funds in several other bills for which a general fund appropriation would be more appropriate."

Effective date

The effective date upon approval for part II of the bill, which amends House Bill No. 200, is objectionable because those amendments should be effective on June 30, 2021 to avoid gaps in funding.

In summary, my objections to this bill are that (1) it understates the amount of moneys necessary for the payment of debt service for fiscal years 2021-2022 and 2022-2023, (2) it improperly appropriates ARPA funds for the payment of debt service, and (3) it fails to fund other essential programs or services of the State. It is my hope that the Legislature will amend this bill to meet my objections as it is authorized to do by section 16 of article III of the Constitution of the State of Hawai'i, and that it will make the amendments retroactive to June 30, 2021, to avoid gaps in funding.

For the foregoing reasons, I am returning House Bill No. 54 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1279, transmitting his statement of objections to H.B. No. 58, HD 1, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 58

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 58, entitled "A Bill for an Act Relating to State Funds."

The purposes of this bill are to temporarily suspend certain general excise and use tax exemptions for the period January 1, 2022, through December 31, 2023, and to increase, effective on January 1, 2022, the conveyance taxes for the sale of noncommercial properties valued at \$4,000,000 or greater. The intent was to generate more revenues for state services.

This bill is objectionable because the increase in conveyance tax rates for non-commercial properties will have significant unintended consequences on the development of affordable rental housing and other transactions. The bill did not define commercial properties and adopts the definition applicable in each county, which is problematic and could have negative inadvertent consequences for family-owned businesses, agriculture, industrial, public service, preservation and conservation projects.

Projects with community benefit that will be adversely affected by this increase in conveyance tax include, for example: Castle and Cooke's plan to gift 16 acres of land valued at \$16 million for the relocation of Wahiawa General Hospital; a pending proposal preserve 380 units of existing affordable rental apartments in Chinatown; a plan to purchase 87 acres of former Dole plantation lands in Waiialua for affordable housing; and a pending proposal to preserve and renovate 143 affordable rental apartments in Waipahu.

Further, the generation of more revenues for state services in the manner proposed by this bill is no longer necessary. Hawai'i's fiscal situation has improved dramatically from the time that the fiscal biennium 2021-2023 Executive Biennium Budget and Financial Plan was presented to the Legislature in December 2020. Since then, the Council on Revenues met three times and increased its general fund revenue projections for fiscal years 2020-2021 through 2026-2027 by a total of \$6.1 billion over this seven-year period. In addition, the Coronavirus Response and Relief Supplemental Appropriations Act of 2020 and the American Rescue Plan Act of 2021 provide substantial federal funding to address a range of pandemic-related state costs, including almost \$600 million for the Department of Education and \$1.64 billion of general-purpose funding to

mitigate state revenue losses and increased COVID-related expenses. Circumstances have changed so much that there is no longer the pressing need for the extraordinary revenue actions proposed in this bill.

For the foregoing reasons, I am returning House Bill No. 58 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i

Gov. Msg. No. 1280, transmitting his statement of objections to H.B. No. 338, HD 1, SD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 338

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 338, entitled "A Bill for an Act Relating to the Judiciary."

The purpose of this bill is to require an appellate court to hold a hearing when a party to an appellate court proceeding files a motion to disqualify or recuse a judge or justice on the basis on a possible conflict of interest.

This bill is objectionable in part because parties to cases pending before the Intermediate Court of Appeals (ICA) and the Hawaii Supreme Court can already file motions to disqualify judges of the ICA or justices of the Supreme Court and nothing precludes litigants from requesting a hearing. In addition, requiring an appellate court to provide for a hearing for every motion to disqualify would limit its ability to reject spurious claims, slowing down the appellate process.

For the foregoing reasons, I am returning House Bill No. 338 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i

Gov. Msg. No. 1281, transmitting his statement of objections to H.B. No. 465, HD 1, SD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 465

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 465, entitled "A Bill for an Act Relating to Collective Bargaining."

The purpose of this bill is to amend section 89-5, Hawaii Revised Statutes, to change the manner in which the representative of labor is appointed to the Hawaii Labor Relations Board (HLRB) and a means for removal of that representative if the exclusive representatives determine that the representative does not demonstrate the necessary ability to serve.

This bill is objectionable because there is concern that the summary removal process provided in this bill may jeopardize the HLRB's ability to make neutral and unbiased decisions. Because of the nature of the duties HLRB members perform, each HLRB member must remain neutral in the face of the facts and the law while earnestly representing their respective constituencies (labor, the employer, and the public). Historically, unanimous agreement among HLRB members has not been commonplace and there exist internal processes for resolving disagreements. The HLRB should be able to exercise these processes rather than allowing the exclusive

representatives to remove HLRB members. I believe that the HLRB is currently able to maintain its present degree of independence and neutrality precisely because its members are protected from being summarily removed merely for political reasons or because of parties' assumption that they were entitled to a preordained outcome.

For the foregoing reasons, I am returning House Bill No. 465 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i

Gov. Msg. No. 1282, transmitting his statement of objections to H.B. No. 515, HD 1, SD 2, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 515

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 515, entitled "A Bill for an Act Relating to the Department of Education."

The purpose of part I of this bill is to require the Auditor to audit the Department of Education's School Food Services Branch to determine the amount of local produce that is being purchased and served to students and to identify the sources of the purchased produce. The purpose of part II of this bill is to require that the Board of Education prioritize for the Superintendent of Education position candidates who have the minimum qualification of ten years of employment in a department of education, including no less than five years serving as a principal or in a higher-level position, and a desired qualification of having a working understanding of the State's tri-level system of educational administration.

This bill is objectionable because the Department of Education's School Food Services branch is already conducting its own system-wide audit of local produce purchased and served in school cafeterias. Requiring the State Auditor to conduct another audit would be a duplication of effort and is unnecessary. The administration fully supports increasing the amount of local produce served in schools as demonstrated by the signing of HB767. Through the Aina Pono program, DOE is increasing local food in student meals as well as connecting our keiki with the 'āina through their food, using products from the local agricultural community. The 'Aina Pono program was created to combine the Farm to School Initiative with our other educational programs, including 'Aina Pono Harvest of the Month, test kitchens, meal programs, menu planning, health and food education, nutrition, and school gardens.

Regarding part II, the Board of Education (Board) is the primary government entity charged with determining educational policy and appointing the Superintendent of Education. Part II effectively usurps the Board's discretion over hiring, thereby interfering with the Board's statutory obligation to appoint the Superintendent, and may have an unintended consequence of limiting the supply of future candidates for the position.

For the foregoing reasons, I am returning House Bill No. 515 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i

Gov. Msg. No. 1283, transmitting his statement of objections to H.B. No. 546, HD 2, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 546

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 546, entitled "A Bill for an Act Relating to Education."

The purposes of this bill are to: (1) require Complex Area Superintendents to report directly to the Superintendent of Education (Superintendent); (2) require the Department of Education (DOE)'s Office of Information Technology Services to submit a report to the Legislature pertaining to the restructuring requirements in the next biennium set forth in the bill; and (3) require the DOE's Office of Strategy, Innovation, and Performance to submit a report to the Legislature pertaining to the restructuring requirements in the next biennium set forth in the bill.

This bill is objectionable because it circumvents the statutory control and authority of the Board of Education to determine the organizational structure of the department. The structural change in staff reporting at the DOE that this bill prescribes may prevent the Superintendent from effectively conducting the Superintendent's core job functions by overburdening the Superintendent with the additional responsibility of supervising the work of 15 Complex Area Superintendents. The primary role of the Superintendent is to oversee the planning, organizing, and directing of system-wide programming, financing, and personnel. The existing organizational structure allows the Superintendent to focus on the overall strategic planning and vision for the DOE. Currently, Complex Area Superintendents report to the Deputy Superintendent, who is charged with overseeing academic and educator development and is better positioned to oversee the work of Complex Area Superintendents.

Additionally, this bill would make a significant alteration to organizational reporting structure within the DOE through statute. Writing this change into state law may make it difficult for the DOE to make future changes in reporting structure without first receiving legislative approval. This would significantly hinder DOE's ability to aptly develop a dynamic organizational structure that best serves the needs of students, administrators, and other school functions.

Furthermore, the organization of each department is established via detailed organizational charts, which are comprised of multiple levels of organizational units. These organizational structures are developed based on public-service needs, budget restraints, and sound administrative practices and are periodically revised to address changing circumstances. Initiating reorganizations through the legislative process largely ignores all of these multifaceted considerations.

For the foregoing reasons, I am returning House Bill No. 546 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1284, transmitting his statement of objections to H.B. No. 572, HD 1, SD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 572

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 572, entitled "A Bill for an Act Relating to the Hawaii Emergency Management Agency."

The purposes of this bill are to place the Hawai'i Emergency Management Agency (HI-EMA) within the Department of Defense (Department) for administrative purposes only, make the Administrator of emergency management the Director of the HI-EMA, require the Administrator to report directly to the Governor, and require the Governor to appoint the Administrator of the HI-EMA.

This bill is objectionable because the timing of the implementation does not give the State, nor the Department, enough time to fully assess other potential alternative organizational structures for the HI-EMA and to determine the ramifications of the administrative attachment of the HI-EMA to the Department, particularly during the ongoing COVID-19 public health emergency operation.

Furthermore, in times of emergency HI-EMA works in conjunction with the Hawai'i National Guard. Having a separate chain of command to address an emerging health or safety emergency will complicate the response, possibly jeopardizing public safety.

Revisiting this effort next year with more inputs from the agencies impacted by these structural changes would allow for greater review of various options for reorganization that may result in greater efficiencies than the current plan outlined in the bill.

For the foregoing reasons, I am returning House Bill No. 572 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1285, transmitting his statement of objections to H.B. No. 613, HD 2, SD 2, CD 2, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 613

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 613, entitled "A Bill for an Act Relating to Education."

The purposes of this bill are to: (1) appropriate moneys from the Elementary and Secondary School Emergency Relief Fund established by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, received by the State for the Department of Education (DOE) to fund certain education related items; (2) appropriate moneys from the Coronavirus Response and Relief Supplemental Appropriations Act, 2021, Public Law 116-260, received by the State for the DOE to fund certain education related items; (3) appropriate moneys from the American Rescue Plan Elementary and Secondary School Emergency Relief (ESSER) Fund established by the American Rescue Plan Act of 2021 (ARPA), Public Law 117-2; and (4) delay pay increases for all superintendents granted by the Board of Education until Department heads receive raises set forth in the most recent salary recommendations by the Commission on Salaries.

This bill is objectionable because appropriations made in this bill do not comply with federal guidance for spending and put the state at risk of being in violation of federal rules. According to guidance issued by the United States Department of Education, state legislatures do not have the ability to limit a local education agency's use of funds appropriated through the CARES Act or ARPA.¹ For federal purposes, DOE is considered both a State Education Agency, as well as a Local Education Agency. The prescriptive limits on spending for each service category outlined in the bill effectively limit DOE's ability to allocate funds in violation of the federal guidance.

Additionally, the federal government requires a Local Education Agency using ARPA funds to develop a spending plan that incorporates "meaningful consultation" with community stakeholders, including teachers, principals, students, school staff, unions, civil rights organizations, English learners, and various other groups. 86 Fed. Reg. 21195, 21195. The spending plan outlined in this bill was developed during conference committee and it does not appear that any meaningful community consultation occurred. This lack of a transparent and open consultation process puts the State and DOE at risk of being in violation of federal guidance. Violation of federal rules could result in the State being required to return such funds.

For the foregoing reasons, I am returning House Bill No. 613 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i

¹ *Frequently Asked Questions - Elementary and Secondary School Emergency Relief Programs Governor's Emergency Education Relief Programs*, U.S. Department of Education, May 26, 2021, at 15.
https://oese.ed.gov/files/2021/05/ESSER.GEER_FAQs_5.26.21_745AM_FINALb0cd6833f6f46e03ba2d97d30aff953260028045f9ef3b18ea02db4b32b1d99.pdf

Gov. Msg. No. 1286, transmitting his statement of objections to H.B. No. 663, HD 1, SD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 663

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 663, entitled "A Bill for an Act Relating to the Game Management Advisory Commission."

The purpose of this bill is to require the Governor to appoint each commission member of the Game Management Advisory Commission, aside from the ex-officio Chairperson of the Board of Land and Natural Resources, from lists submitted respectively by the President of the Senate and the Speaker of the House of Representatives.

This bill is objectionable because it has the potential to upset the balance of interests needed on this commission, which provides key input to the Department of Land and Natural Resource's resource management decisions on a range of recreational activities enjoyed by the public.

For the foregoing reasons, I am returning House Bill No. 663 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1287, transmitting his statement of objections to H.B. No. 774, HD 1, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 774

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 774, entitled "A Bill for an Act Relating to Development Districts."

The purposes of this bill are to: (1) establish the Pulehunui community development district in the County of Maui to redevelop, renovate, and improve public lands in Pulehunui, Maui; (2) amend the composition of the Hawaii Community Development Authority (HCDA) to add the Director of the Office of Planning or the director's respective designee as an *ex officio*, voting member of the HCDA and the community development district authority boards and two at-large members with expertise in urban planning, infrastructure, or financing; (3) require that the terms of the Director of Finance, Director of Transportation, and the Director of the Office of Planning, or their respective designees, run concurrently with their respective official terms of office; (4) establish new separate community development district authority boards to oversee the existing Kaka'ako, Kalaheo, and He'eia community development districts and the new Pulehunui community development district; and (5) amend the scope of the HCDA's exclusive powers including: (a) requiring the mutual consent of the HCDA and the appropriate community development district authority board

prior to any sale or encumbrance of any real property or other financial assets or physical assets of the HCDA; (b) prohibiting the HCDA's transfer of any additional debts or liabilities or superior debts to any community development district authority board that would negatively impact the holders of bond notes; (c) adopting and revising bylaws relating to the internal management and organization of the HCDA and the community development district authority boards; and (d) adopting rules relating to the approval of reserved housing developed outside of a community development district.

This bill is objectionable because it establishes four new community development district authority boards but does not place these new boards within one of the principal departments. Section 6 of article V of the Hawaii State Constitution requires that "[a]ll executive and administrative offices, departments and instrumentalities of the state government and their respective powers and duties shall be allocated by law among and within not more than twenty principal departments in such manner as to group the same according to common purposes and related functions." Since the bill does not provide for placement of the new boards within a principal department, the bill will be subject to challenge as establishing the new boards in violation of the organizational placement requirement of section 6 of article V of the Hawai'i State Constitution.

Additionally, there are concerns about the prescribed requirements of more than one of the district authority boards. A lack of eligible nominees has the potential to hinder progress of the board.

This bill is also objectionable because it incorrectly lists Tax Map Key (TMK) number "2-3-8-009-038" as part of the new Pulehunui community development district. This TMK number refers to a privately-owned, residential-zoned parcel.

For the foregoing reasons, I am returning House Bill No. 774 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1288, transmitting his statement of objections to H.B. No. 862, HD 2, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 862

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 862, entitled "A Bill for an Act Relating to State Government."

The purposes of this bill are to effect a number of changes to the Pacific International Space Center for Exploration Systems (PISCES); the Transient Accommodations Tax (TAT); and the Hawaii Tourism Authority (HTA). Specifically, this bill:

1. Transfers PISCES from the Department of Business, Economic Development, and Tourism (DBEDT) and places it within the University of Hawaii at Hilo for administrative purposes only, and transfers the balance of moneys in its special fund accordingly;
2. Abolishes the Office of Aerospace Development, the Aerospace Advisory Committee, and the Unmanned Aerial Systems Test Site Advisory Board within DBEDT and transfers the Challenger Center Program and its funds held in the Office of Aerospace Development to the Department of Education;
3. Repeals TAT funding for the counties, the Tourism Special Fund (within HTA), the Special Land and Development Fund, the State Parks Fund, and the trails and access program (all within the Department of Land and Natural Resources), reverting to the general fund amounts that otherwise would have been funded;
4. Authorizes the counties to establish their own TAT charge with a cap of three percent of all gross rental value taxable thereunder;

5. Amends TAT funding of the Hawaii Convention Center Enterprise Special Fund from \$16.5 million to \$11 million, but maintains the Tourism Emergency Fund at \$5 million;
6. Repeals HTA's Tourism Special Fund (TSF), along with conforming amendments repealing funding reliant on, or wording in other statutes referring to, the TSF (including certain Central Services expense payment exemptions, the Turtle Bay Conservation Easement special fund, and HTA CEO and employee salaries);
7. Repeals HTA's market development-related research authority;
8. Repeals HTA's exemption from chapter 1030 (the procurement code), Hawaii Revised Statutes (HRS); and
9. Appropriates \$60 million in moneys from the Coronavirus State and Local Recovery [sic] Funds (SLFRF) under the American Rescue Plan Act of 2021 (ARPA) (see comments below) for HTA for fiscal year 2021-2022, to be expended by DBEDT.

This bill is objectionable because it ends dedicated funding from TAT for HTA and substantially reduces funding for the Hawaii Convention Center (HCC) at a time when both need current funding levels to be maintained and fails to appropriate sufficient and suitable fundings for the operation of HTA and HCC.

A second, equally important objection is a repeal of HTA's special fund as well as its portion of the TAT, replaced by significantly lower, one-time SLFRF funding. It not only undermines the purpose of the TAT (to provide dedicated funding from visitors to mitigate their impacts on the community), but it also hinders HTA's current efforts in destination management to strike a more sustainable balance between needed tourism revenue and tourism's community impacts. The lack of a special fund appropriation for the operation of HTA in this bill or in House Bill No. 200, entitled "A Bill for an Act Relating to the State Budget," the General Appropriations Act of 2021, approved as Act 88, is objectionable because the SLFRF funds appropriation cannot and does not take the place of an appropriation of special funds. The recent Treasury rules define the SLFRF funds as federal grants, subjecting them to federal grant requirements that include extensive reporting requirements and adherence to strict procurement procedures. These federal requirements would hinder and prove inefficient for HTA operations, including its ability to participate in cooperative advertising with the tourism industry domestically and internationally and to conduct its grant and other discretionary funding programs for numerous sponsored events, including community events like the Merrie Monarch Festival.

A special fund appropriation for HTA operations is necessary for HTA to respond to shifting circumstances as the State emerges from the restrictions imposed by COVID-19. The repeal of special funds for HTA operations in this bill is objectionable because the operation of the HTA in this critical time of recovery offers an opportunity to reinvent the tourism industry in Hawai'i and requires the appropriations from its special fund, rather than the restrictive SLFRF funds. Although the numbers of domestic visitors have rebounded much faster than anticipated, international visitors still account for only a small percentage of pre-COVID-19 levels. HTA needs to help Hawai'i re-capture its share of international visitors as health conditions improve abroad. Like convention visitors, international visitors are vital to developing a more sustainable tourist industry based on quality, not quantity, of visitors. HTA needs to have the flexibility the special fund appropriations provide to continue its efforts to rebrand the industry and make it more sustainable. Accordingly, repeal of HTA's special fund at this critical time is ill-advised. It also is unclear if the SLFRF funds can be used to support an appeal to foreign markets.

The cuts to HCC funding in this bill will restrict its ability to attract additional events to the State and fulfill its mission. Inadequate funding is objectionable because it does not provide complete support for a robust schedule to maximize an HCC calendar of activities. Without the special funds appropriation, the HCC is unable to book conventions beyond the scope that the amount of the SLFRF funds appropriation accommodates. With the easing of COVID-19 restrictions domestically and in Canada and Europe, there is increased demand to hold conventions in Hawai'i. Re-establishing convention activity in Hawai'i is vital to developing a more sustainable tourist industry based on quality, not quantity, of visitors. Therefore, the cuts to HCC funding are objectionable. In addition, at minimum, the HCC operation would need an appropriation of \$54,069,594 out of the convention center enterprise special fund for fiscal year 2021-2022 and the same sum for fiscal year 2022-2023.

Furthermore, the repeal of HTA's special fund and cuts in appropriations for both HTA and HCC were predicated in part on dire revenue forecasts that have since been revised upward and have thus relieved much of the pressure to repeal special funds and restrict funding to the very enterprises that will generate future revenue for the State. The year-to-year funding contemplated in this bill and House Bill No. 200 as related to the fundings for HTA and HCC would not allow long-term planning, multi-year contract savings for the operations of HTA and HCC, and execution of a strategic plan.

The bill is also objectionable because it repeals HTA's procurement exemption. Sustaining HTA's current exemption from the Hawaii Procurement Code (chapter 1030, HRS) is essential to continue to provide the flexibility necessary for HTA to respond timely and quickly to the complex contracting requirements encountered by HTA every day. The operation of HTA, particularly during this challenging time, is reliant on its ability to contract rapidly and efficiently with an increasing variety of contractors throughout the world, who provide unique services, cultural events and other opportunities in a competitive world market. The Hawaii Procurement Code is ill-adapted to the exigencies of today's tourism market, and the procurement protocols already in place at HTA provide many of the same legal protections without the administrative and logistical delay.

The bill also is objectionable because it fails to cite to chapter 231, HRS, and the authorities for the administration of taxes provided therein. Without reference to chapter 231, HRS, the county directors of finance are unable to, among other things, (1) impose penalties under sections 231-34 to 231-41, HRS, for violations such as failure to file returns and failure to pay tax; (2) impose interest on underpaid amounts under section 231-39, HRS; and (3) subpoena records under section 231-7, HRS. Moreover, while the bill seeks to provide authority to the counties to levy, assess, and collect transient accommodations tax upon adoption of a county ordinance and in accordance with section 46- , HRS, the bill also provides that the tax shall be levied, assessed, and collected as provided in "this section." By failing to reference the "chapter," and limiting the counties' authority for the administration of the tax to "this section," it does not appear that the counties will be able to administer the tax because the new section created by the bill does not provide for how the new county transient accommodation tax is to be levied, assessed, and collected.

This bill is also objectionable because it is inefficient to create an entirely new set of tax collection systems for each county. Additionally, if dedicated funding from the TAT to the counties is to be preserved, this bill creates a gap for counties from existing TAT resources while new systems are being implemented. Previously, the Legislature has granted the State the authority to assist the counties with tax collection administration, for example, with county surcharges. The Legislature did not grant the State this authority in this bill.

This bill is also objectionable because there is no funding for PISCES in House Bill No. 200. PISCES is an on-going program to help diversify Hawaii's economy through applied research, workforce development, and economic development initiatives in the space exploration field. Funding PISCES will ensure continued emphasis in this high potential field.

Additionally, there is no provision to transfer contracts, equipment, and other essential functions from DBEDT to the University of Hawaii - Hilo for PISCES.

This bill is also objectionable because the funding for the Challenger Center Program in House Bill No. 200 changes the means of funding to unspecified federal funds. It is the Department of Education's (DOE) understanding that the source of federal funds for the Challenger Center Program is federal Elementary and Secondary School Emergency Relief Funds (ESSER). According to guidance issued by the United States Department of Education, state legislatures do not have the ability to limit a local education agency's use of funds appropriated through the CARES Act or ARPA.¹ For federal purposes, the DOE is considered both a State Education Agency, as well as a Local Education Agency.

For the foregoing reasons, I am returning House Bill No. 862 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i

¹ *Frequently Asked Questions - Elementary and Secondary School Emergency Relief Programs Governor's Emergency Education Relief Programs*, U.S. Department of Education, May 26, 2021, at 15.
https://oese.ed.gov/files/2021/05/ESSER.GEER_FAQs_5.26.21_745AM_FINALb0cd6833f6f46e03ba2d97d30aff953260028045f9ef3b18ea602db4b32b1d99.pdf

Gov. Msg. No. 1289, transmitting his statement of objections to H.B. No. 895, SD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 895

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 895, entitled "A Bill for an Act Relating to Credit for Time of Detention Prior to Sentence."

The purpose of this bill is to amend section 706-671(3), Hawaii Revised Statutes (HRS), to clarify that a defendant who is convicted of a crime committed while serving a term of imprisonment for a separate unrelated crime cannot receive credit for any presentence detention time served for the new offense that overlaps with time being served for the old offense.

This bill is objectionable because the wording in the bill, as it is written, does not overcome the problem identified by the Hawaii Supreme Court in State v. Abihai, 146 Hawai'i 398, 453 P.3d 1055 (2020), and does not achieve what the Legislature intended when it first passed section 706-671(3), HRS, in 2012. The bill will have no effect on the sentence a defendant receives for a crime committed while serving a term of imprisonment for a separate unrelated crime.

For the foregoing reasons, I am returning House Bill No. 895 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1290, transmitting his statement of objections to H.B. No. 1284, HD 2, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1284

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 1284, entitled "A Bill for an Act Relating to the Department of Human Services."

The purpose of this bill is to establish within the Department of Human Services (DHS) an "all-claims, all-payer data center steering committee" to "oversee and provide direction for the all-claims, all-payer database and data center within the health analytics program established in section 346-421," Hawaii Revised Statutes, composed of one member from the DHS and six members from other agencies.

This bill is objectionable because another multi-agency steering committee already exists in the State Health Planning and Development Agency, which is almost identical in its composition and responsibilities to the committee proposed in the bill. The existing multi-agency steering committee is actively carrying out its duties. This bill also lacks clarity regarding the relationship between the steering committee established in this bill and the administrator of the DHS's Health Analytics Program, a position established by section 346-421(a), HRS, as it is ambiguous regarding which entity has superceding authority over the all-claims, all-payer database and data center.

For the foregoing reasons, I am returning House Bill No. 1284 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1291, transmitting his statement of objections to H.B. No. 1296, HD 1, SD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1296

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 1296, entitled "A Bill for an Act Relating to State Funds."

The purposes of this bill are to: (1) repeal the Hawaii tobacco prevention and control trust fund (Trust Fund) and transfer any balance of the Trust Fund to the general fund on June 30, 2025; repeal the allocation of 26 percent of the Hawaii tobacco settlement special fund (Special Fund) to the university revenue undertakings fund on July 1, 2033; set a cap of \$4,300,000, on the Special Fund; require that the management contract for the Trust Fund not extend beyond June 30, 2025; and require the Department of Health to provide an annual report to the Legislature before the regular sessions of 2022, 2023, 2024, 2025, and 2026 on Trust Fund expenditures; (2) make an emergency appropriation of \$4,780,880 for fiscal year 2020-2021 for the state comprehensive emergency medical services system; (3) appropriate \$577,466 for fiscal years 2021-2022 and 2022-2023 for two full-time equivalent (FTE) permanent and five FTE temporary positions in the Office of the Governor; (4) require state departments to reimburse the State for fringe benefit costs of special-funded employees; (5) prohibit any expenditure of cigarette tax moneys in the Hawaii cancer research special fund for research and operating expenses; (6) repeal the deposit of any cigarette tax money into the cancer research special fund on July 1, 2041; (7) and repeal the deposit of cigarette tax moneys into the emergency medical services special fund on July 1, 2021; (8) establish a threat assessment program within the Hawaii State Fusion Center of the Office of Homeland Security within the State Department of Defense; and (9) appropriate \$132,972 for fiscal years 2021-2022 and 2022-2023 for one FTE permanent administrative assistant position in the Department of Human Resources Development.

This bill is objectionable because by repealing the Trust Fund, the bill would eliminate the dedicated, long-term funding arrangement for tobacco prevention programs. The Trust Fund uses payments being made by tobacco companies pursuant to the Tobacco Master Settlement Agreement to develop and fund programs to prevent tobacco uptake and to cease tobacco use. Defunding a dedicated revenue source for tobacco prevention and cessation programs creates uncertainty about the continuity of those programs and their ability to achieve their intended outcomes. Any significant reduction in these programs or services will likely result in negative public health impacts and significantly higher health care costs in future years. Over the last twenty years, these programs have helped prevent youth from initiating smoking, have reduced the number of residents who smoke, and have reduced tobacco-use-related healthcare expenditures by over one billion dollars.

Additionally, the bill would eliminate the University of Hawaii (UH) Cancer Center's ability to conduct cancer research and cancer center operations with cigarette tax moneys, significantly increasing costs for the UH to maintain its existing operation and programs.

Notably, recent improvements in the State's current fiscal situation and forecasted tax revenues appear to eliminate the need for this bill.

For the foregoing reasons, I am returning House Bill No. 1296 without my approval.

Respectfully,
/s/ David Y. Ige

DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1292, transmitting his statement of objections to H.B. No. 1299, HD 1, SD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 1299

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, House Bill No. 1299, entitled "A Bill for an Act Relating to Non-General Funds."

The purposes of this bill are to repeal, abolish, or amend various non-general funds and accounts and to transfer the unencumbered balances remaining in such funds and accounts to the general fund.

This bill is objectionable because there are several provisions that pose constitutional, operational, or legal issues. They are: (1) the repeal of the Milk Control Special Fund; (2) the reclassification of the Hawaiian Home Receipts Fund from a trust fund to a trust account; (3) the abolishment of the National Mortgage Settlement Trust Account; (4) the repeal of the Hawaii Technology Loan Revolving Fund; (5) the repeal of the Judiciary's Probation Services Special Fund; (6) the repeal of University of Hawaii's Community Service Special Fund; (7) the repeal of the Private Trade, Vocational, and Technical School Licensure Special Fund; (8) the repeal of the Hawaii Water Infrastructure Special Fund; and (9) the repeal of the Agricultural Development and Food Security Special Fund.

(1) The Milk Control Special Fund provides a source of funding for the regulatory oversight of the milk industry in Hawai'i. It is funded by the license fees collected for its activities, which fees are deposited into the Milk Control Special Fund. Accordingly, the transfer of those regulatory fees may be subject to challenge under Hawaii Insurers Council v. Lingle, 120 Hawai'i 51, 201 P.3d 564 (2008). In that case, the Hawai'i Supreme Court opined that transferring "legitimate regulatory fees" from an insurance special fund into the State's general fund violated the separation of powers doctrine because administrative fees and assessments imposed by an administrative agency can only be used for the purposes of providing services to the persons or entities paying such fees. Any other use of the fees would constitute a tax, which can only be imposed by a Legislature. The Court adopted a three-pronged test to determine whether any assessment was a regulatory fee and therefore was probably not transferable to the general fund. The test asks (1) whether a regulatory agency assesses the fee, (2) whether the agency places the money in a special fund, and (3) whether the assessment "is expended for general public purposes or [instead] used for the regulation or benefit of the parties on whom the assessment is imposed." Id. at 66, 201 P.3d at 579.

In this instance, the Department of Agriculture is the regulatory agency that assesses the fee, the subject moneys are placed in a special fund, and the assessment is used for the regulation of the parties on whom the assessment is imposed. Thus, I believe the moneys in the Milk Control Special Fund constitute regulatory fees that cannot be transferred to the general fund pursuant to Hawaii Insurers Council v. Lingle.

(2) The reclassification of the Hawaiian Home Receipts Fund from a trust fund to a trust account is contrary to the express provisions of section 213(d) of the Hawaiian Homes Commission Act, 1920. Section 213(d) reads as follows:

(d) There are established in the treasury of the State four trust funds, to be known respectively as the Hawaiian home operating fund, the Hawaiian home receipts fund, the Hawaiian home trust fund, and the native Hawaiian rehabilitation fund and one special fund to be known as the Hawaiian home administration account.

(Emphases added.)

(3) Section 62 of this bill abolishes the National Mortgage Settlement Trust Account, which was administratively established in 2012 based on a consent judgment that was filed along with 48 other states in U.S. District Court for the District of Columbia, and lapses the unencumbered balance to

the general fund. This Trust Account was established pursuant to a court order and the termination of the Trust Account may subject the State to sanctions because the purposes for which the Trust Account was established are still continuing.

(4) The repeal of the Hawaii Technology Revolving Loan Fund conflicts with H.B. 1191 Relating to Broadband Service Infrastructure, which retasks and renames this same fund to the Hawaii Broadband Infrastructure Fund.

(5) The repeal of the Judiciary's Probation Services Special Fund defunds positions and services for the Judiciary's statewide assessment database, which the Probation Program uses to supervise offenders, and eliminates the funding source for the Interstate Compact Offender System Coordinator position, which [sic] is responsible for compliance with federal rules for the tracking of offenders leaving and entering the State from Compact of Free Association states.

(6) The repeal of University of Hawaii's Community Services Special Fund eliminates the funding source for the University's non-credit Outreach College programs, which include the Substitute Teacher Course and conversational language courses, among others.

(7) The repeal of the Private Trade, Vocational, and Technical School Licensure Special Fund defunds a 0.50 FTE permanent positions and administrative/operational costs used for the protection of consumers from deceptive educational practices.

For the foregoing reasons, I am returning House Bill No. 1299 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1293, transmitting his statement of objections to S.B. No. 140, SD 2, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 140

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 140, entitled "A Bill for an Act Relating to Community Development."

The purpose of this bill is to establish the transit-oriented development zone improvement board to develop and implement a transit-oriented development zone improvement program to foster community development by strategically investing in public facilities.

This bill is objectionable because the bill does not provide for placement of the transit-oriented development zone improvement board within a principal department. Pursuant to Section 6 of Article V of the Hawai'i State Constitution, the transit-oriented development zone improvement board must be placed within a principal department. Consequently, this bill would establish the new board in violation of the organizational placement requirement of Section 6 of Article V of the Hawai'i State Constitution.

For the foregoing reason, I am returning Senate Bill No. 140 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1294, transmitting his statement of objections to S.B. No. 153, SD 2, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 153

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 153, entitled "A Bill for an Act Relating to the Statewide Traffic Code."

The purpose of this bill is to establish a new Hawaii Impaired Driving Council in the Department of Transportation to address and develop strategies for reducing impaired driving in Hawai'i.

This bill is objectionable because it creates a new council that duplicates efforts already underway by the Hawai'i Drug and Alcohol Intoxicated Driving group convened by the Department of Transportation. The group has been in operation for several years and focuses on driving behavior, programs, and enacting laws dealing with drinking and driving to save lives on Hawai'i's roadways.

For the foregoing reasons, I am returning Senate Bill No. 153 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1295, transmitting his statement of objections to S.B. No. 263, SD 2, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 6, 2021

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 263

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 263, entitled "A Bill for an Act Relating to Economic Development."

The purposes of this bill are to establish a "Hawaii Made" program in the Department of Business, Economic Development, and Tourism (DBEDT) and to appropriate \$150,000 for the "Hawaii Made" program out of the American Rescue Plan Act of 2021 (ARPA), Pub. L. No. 117-2, §9901, 135 Stat. 4, 223 (2021). This bill further adds Hawaii-made product labeling requirements under the jurisdiction of DBEDT that are almost identical to Hawaii-made product labeling requirements under the jurisdiction of the Department of Agriculture (DOA).

This bill is objectionable because the labeling requirements would result in duplicative jurisdiction over the same labeling regulation between DBEDT and DOA. Moreover, while DOA has statutory means of enforcement, DBEDT has none and would have no means to enforce these labeling requirements.

For the foregoing reasons, I am returning Senate Bill No. 263 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1296, transmitting his statement of objections to S.B. No. 404, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 6, 2021

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 404

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 404, entitled "A Bill for an Act Relating to Electioneering Communications."

The purposes of this bill are to (1) exempt candidates and candidate committees from having to file electioneering communication statements of information; (2) reduce the aggregate amount that can be spent on electioneering communications before a statement of information must be filed from \$2,000 to \$1,000; (3) reduce the electioneering communications reporting requirement to just one statement of information to be filed upon meeting the \$1,000 in aggregate spending; (4) revise the definition of "electioneering communication" to include any advertisement sent by mail, rather than just by bulk mail; and (5) clarify that an electioneering communication does not include communication that is an actual expenditure.

This bill is objectionable because it exempts candidate and candidate committees from the heightened twenty-four-hour reporting requirements, resulting in less information being provided to the public prior to election day. Furthermore, for noncandidate committees, the bill reduces the annual electioneering communication reporting requirement to just one report to be filed upon meeting the \$1,000 in aggregate spending threshold and any spending beyond the initial \$1,000 will not have to be reported, resulting in less information being provided to the public prior to election day.

For the foregoing reasons, I am returning Senate Bill No. 404 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1297, transmitting his statement of objections to S.B. No. 589, SD 2, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU
July 6, 2021

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 589

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 589, entitled "A Bill for an Act Relating to the University of Hawaii."

This bill includes provisions that impact the University of Hawaii (UH) Cancer Center by: (1) establishing the University of Hawaii (UH) Cancer Center in statute as the "Cancer Research Center of Hawaii" (CRCH); (2) requiring the Director of the CRCH to be appointed by the Board of Regents (BOR) upon recommendation of the Provost of UH-Manoa and with the concurrence of the UH President; (3) requiring the CRCH to be administratively affiliated with the John A. Burns School of Medicine (JABSOM); (4) requiring funds expended from the Tuition and Fees special fund or Research and Training revolving fund for JABSOM or the CRCH to be used for educational or research and research-related purposes only; and (5) requiring UH to develop a plan for JABSOM and the CRCH to achieve greater operational efficiencies. Also, while this bill extends the sunset date of Act 38, Session Laws of Hawaii (SLH) 2017, exempting UH's technology transfer activities from certain provisions of the State Ethics Code, to June 30, 2024, it prohibits technology transfer activities in which UH employees have a conflict of interest. It similarly extends the sunset date of Act 39, SLH 2017, establishing UH's Innovation and Commercialization Initiative Program (ICIP), to June 30, 2024, but prohibits program activities in which UH employees have a conflict of interest.

This bill is objectionable because the prohibitions on certain technology transfer activities and program activities in parts III and IV of the bill may impair existing UH contracts, in violation of the Contract Clause of the United States Constitution, which prohibits states from passing laws that impair the obligations of contracts. Such prohibitions may also intrude upon the BOR's exclusive jurisdiction over the internal structure, management, and operation of UH because the bill does not identify parts III and IV as

statewide concerns, in violation of section 6 of article X of the Hawai'i State Constitution.

In addition, by codifying the UH Cancer Center into law and setting organizational reporting into statute, the bill limits UH's flexibility to make changes to the structure in the future. While there may be cost savings as a result of merging the administrative functions of the Cancer Center and Medical School, such organizational changes should be made in consultation with the leadership of the respective institutions and UH Manoa leadership.

For the foregoing reasons, I am returning Senate Bill No. 589 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1298, transmitting his statement of objections to S.B. No. 639, SD 1, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 639

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 639, entitled "A Bill for an Act Relating to Courts of Appeal."

The purpose of this bill is to amend chapter 602, Hawaii Revised Statutes by adding new sections designated "[s]ua sponte decisions" that would prohibit the appellate courts, when acting on a matter on appeal, from affirming, modifying, reversing, or vacating a matter on grounds other than those raised by the parties unless the parties are provided the opportunity to brief the court. If an appellate court fails to give the parties the opportunity to submit supplemental briefing, a rehearing shall be ordered upon timely petition of any party.

This bill is objectionable in part because the concerns raised by this bill have been addressed by the judiciary. The Supreme Court of Hawai'i has proposed an amendment to the Hawai'i Rules of Appellate Procedure to address the concerns raised by this bill and is currently seeking public comment on the proposal.

For the foregoing reasons, I am returning Senate Bill No. 639 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1299, transmitting his statement of objections to S.B. No. 807, SD 2, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 807

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 807, entitled "A Bill for an Act Relating to Education."

The purposes of this bill are to: (1) require each Department of Education school's academic plan to include the following: a clear accounting of all resources that will be allocated to address and achieve each measurable outcome; the school's priority improvement strategies and measures to determine progress; student growth indicators; information about programs

intended to address social and economic conditions that adversely impact student learning; a breakdown of certain teacher vacancy data; average class sizes for all regular education, special education, and content based English language learning classes; and teacher workforce experience metrics; and (2) require the Department of Education to submit an annual report on the school academic and financial plans to the Board of Education and the Legislature.

This bill is objectionable because schools are already required to create academic and financial plans, and the new measurements specified by this bill may not add value for schools any more than the current measurements. Specifically, the option to use the National Assessment of Education Progress (NAEP), which uses random samples of schools throughout the system every other year, does not provide an accurate assessment of results at the individual school level. It may also be difficult to report data consistently across all schools if the Legislature is requiring an "authentic assessment," as defined in the bill. Measurements will likely differ from school to school, making system-wide reporting problematic. Furthermore, this bill adds additional requirements for data analysis, while the resources were reduced in House Bill No. 200, entitled "A Bill for an Act Relating to the State Budget," the General Appropriations Act of 2021, approved as Act 88.

For the foregoing reasons, I am returning Senate Bill No. 807 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1300, transmitting his statement of objections to S.B. No. 811, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 811

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 811, entitled "A Bill for an Act Relating to the Department of Education."

The purpose of this bill is to require the Department of Education (DOE) to publish a weekly report on the DOE's website identifying schools that have reported positive COVID-19 cases.

This bill is objectionable because the DOE and the Department of Health have already established protocols to report cases, notify contacts, and prevent transmission in schools. This bill may also increase the potential for individuals to be identified, harassed, or discriminated against if weekly reporting is required. As written, this bill possesses a high potential for privacy violations, particularly in smaller communities. An increase in bullying, harassment or social isolation can have negative impacts on a student's educational outcomes. Instances of bullying and harassment are likely under reported, as students may be hesitant to make official complaints to school administrators. This bill could significantly increase the potential for harassment at a time when students should be allowed to focus on getting back to in person learning and their own academic achievement. Additionally, reporting of positive cases may lead to disruption and anxiety among members of the school community, hindering the ability of school administrators to conduct normal school business.

For the foregoing reasons, I am returning Senate Bill No. 811 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1301, transmitting his statement of objections to S.B. No. 1387, SD 1, HD 2, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1387

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 1387, entitled "A Bill for an Act Relating to Microchip Identification."

The purpose of this bill is to require dog and cat owners to microchip their pets and update the ownership information when pets are transferred between owners.

This bill is objectionable because the proposed new statutory section includes an exemption for a "designated population management program." That term is not defined in any statute or rule and there is no agency or entity responsible for creating such a designation. The bill will also introduce conflict and confusion with county ordinances that already define "ownership" and identification requirements, such as the microchipping requirements of the City and County of Honolulu and the County of Kaua'i.

For the foregoing reasons, I am returning Senate Bill No. 1387 without my approval.

Respectfully,
/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

Gov. Msg. No. 1302, transmitting his statement of objections to S.B. No. 1409, SD 2, HD 1, CD 1, as follows:

"EXECUTIVE CHAMBERS
HONOLULU

July 6, 2021

STATEMENT OF OBJECTIONS TO SENATE BILL NO. 1409

Honorable Members
Thirty-First Legislature
State of Hawai'i

Pursuant to Section 16 of Article III of the Constitution of the State of Hawai'i, I am returning herewith, without my approval, Senate Bill No. 1409, entitled "A Bill for an Act Relating to Training in Native Hawaiian Rights."

The purpose of this bill is to prohibit newly appointed or reappointed members of certain State councils, boards, and commissions from serving if the member has not completed the Native Hawaiian rights training course required by section 10-42, Hawaii Revised Statutes (HRS). This bill further requires the Office of Hawaiian Affairs to record the training course and make the recording available to those who were unable to attend.

This bill is objectionable because it imposes punitive measures on volunteer members of several boards. The vast majority of board members impacted by this bill have already completed a Native Hawaiian rights training course offered by the University of Hawaii. A review of records of forty-three board and commission members across the five boards and commissions within the Department of Land and Natural Resources (not including new or retired members or vacancies, and including two who took the class before section 10-42, HRS, became law) revealed that only two individuals had not yet completed the training. In-person course offerings have been limited to once or twice a year, which may impact quorum requirements. Any gaps in training can be covered by more in-person course offerings and online course offerings, where the members can take the class on their own schedule, including workdays and weekends, rather than only on set days.

Additionally, my Administration supports providing board members with the flexibility to choose from more than one provider of Native Hawaiian rights training.

For the foregoing reasons, I am returning Senate Bill No. 1409 without my approval.

Respectfully,

/s/ David Y. Ige
DAVID Y. IGE
Governor of Hawai'i"

At this time, the Chair stated:

"Alright members, we will be offering amendments for adoption to address the Governor's objections, beginning with House Bill No. 54, as referenced in Governor's Message No. 1278."

Gov. Msg. No. 1278 and H.B. No. 54, HD 1, SD 1, CD 1:

At this time, Representative Belatti offered Floor Amendment No. 1, amending H.B. No. 54, HD 1, SD 1, CD 1, as follows:

SECTION 1. House Bill No. 54, H.D. 1, S.D. 1, C.D. 1, is amended by deleting page 1, lines 7-8.

SECTION 2. House Bill No. 54, H.D. 1, S.D. 1, C.D. 1, is amended by deleting Sections 3 and 4.

SECTION 3. House Bill No. 54, H.D. 1, S.D. 1, C.D. 1, is amended by adding a new Section 3 to read as follows:

"SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$238,944,470 or so much thereof as may be necessary for fiscal year 2021-2022 and the sum of \$257,446,927 or so much thereof as may be necessary for fiscal year 2022-2023 for debt service payments – state (BUF721); provided that of the general fund appropriation for debt service under this section for fiscal biennium 2021-2023, balances that are unrequired for debt service payments may be used to pay for expenses incurred pursuant to section 39-14, Hawaii Revised Statutes, and for costs of bond issuance, or may be transferred to retirement benefits payments (BUF741-BUF748) and health premium payments (BUF761-BUF768); provided further that the funds shall not be expended for any other purpose; and provided further that any unexpended funds shall lapse to the credit of the general fund at the end of the respective fiscal year for which the appropriation was made.

The sums appropriated shall be expended by the department of budget and finance for the purposes of this section."

SECTION 4. House Bill No. 54, H.D. 1, S.D. 1, C.D. 1, is amended by adding a new Section 4 to read as follows:

"SECTION 4. Provided that, notwithstanding any law to the contrary, appropriations in sections 2 and 3 that are deemed necessary for the operations of a program, the appropriations may be transferred with the approval of the governor to the General Appropriations Act of 2021 (House Bill No. 200, H.D. 1, S.D. 1, C.D. 1, as enacted) or the Supplemental Appropriations Act of 2022 for program execution and expenditure; provided further that the transferred appropriations shall be expended for the purposes indicated in this Act and shall be subject to the provisions of the General Appropriations Act of 2021 and the Supplemental Appropriations Act of 2022; and provided further that the transferred appropriations shall be incorporated into all budgetary details of the General Appropriations Act of 2021 and the Supplemental Appropriations Act of 2022, as applicable."

On motion by Representative Belatti, seconded by Representative Morikawa and carried, Floor Amendment No. 1, amending H.B. No. 54, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE STATE BUDGET," was adopted, with Representatives Ilagan, McKelvey, and Nishimoto being excused.

At 2:48 p.m., the Chair noted that Floor Amendment No. 1 was adopted.

At this time, the Chair stated:

"Next, members, we will be offering amendments for adoption on House Bill No. 1299, as referenced in Governor's Message No. 1292."

Gov. Msg. No. 1292 and H.B. No. 1299, HD 1, SD 1, CD 1:

At this time, Representative Belatti offered Floor Amendment No. 2, amending H.B. No. 1299, HD 1, SD 1, CD 1, as follows:

SECTION 1. House Bill No. 1299, H.D. 1, S.D. 1, C.D. 1, is amended by deleting section 10 of the bill, which would have repealed section 157-29, Hawaii Revised Statutes, relating to the milk control special fund.

SECTION 2. House Bill No. 1299, H.D. 1, S.D. 1, C.D. 1, is amended by deleting part XII of the bill, relating to Auditor's Report No. 20-16, Department of Hawaiian Home Lands.

SECTION 3. House Bill No. 1299, H.D. 1, S.D. 1, C.D. 1, is amended by deleting section 62 of the bill, which would have abolished the national mortgage settlement trust account.

SECTION 4. House Bill No. 1299, H.D. 1, S.D. 1, C.D. 1, is amended by redesignating all remaining parts and renumbering all remaining sections accordingly.

SECTION 5. House Bill No. 1299, H.D. 1, S.D. 1, C.D. 1, is amended by changing the reference in the effective date on page 72, line 14, from section 60 to section 57.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, Floor Amendment No. 2, amending H.B. No. 1299, HD 1, SD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO NON-GENERAL FUNDS," was adopted, with Representatives Ilagan, McKelvey, and Nishimoto being excused.

At 2:49 p.m., the Chair noted that Floor Amendment No. 2 was adopted.

At this time, the Chair stated:

"Members, we have one more floor amendment, this is on Senate Bill No. 589, as referenced in Governor's Message No. 1297."

Gov. Msg. No. 1297 and S.B. No. 589, SD 2, HD 2, CD 1:

At this time, Representative Belatti offered Floor Amendment No. 3, amending S.B. No. 589, SD 2, HD 2, CD 1, as follows:

SECTION 1. S.B. 589, S.D. 2, H.D.2, C.D. 1, is amended by deleting the language on page 1, line 1, to page 26, line 20, and inserting the following:

PART I

SECTION 1. The legislature finds that the University of Hawaii cancer center reduces the burden of cancer through research, education, patient care, and community outreach. The University of Hawaii cancer center is the only National Cancer Institute-designated cancer center in Hawaii and the Pacific region. The University of Hawaii cancer center is a member of the Hawaii Cancer Consortium, which includes five hospital groups and the University of Hawaii John A. Burns school of medicine.

The University of Hawaii John A. Burns school of medicine educates and trains health care professionals, including physicians, biomedical scientists, and allied health workers. The University of Hawaii John A. Burns school of medicine also conducts fundamental medical research and translates discoveries into delivery practices. Because the University of Hawaii John A. Burns school of medicine is a community-based medical school without its own university hospital, it partners with private hospitals in the community to achieve its educational mission.

The legislature further finds that public funds and other resources the State has made available to the University of Hawaii John A. Burns school of medicine and University of Hawaii cancer center have been substantial. The magnitude of state funds and other resources provided to the University of Hawaii, the distinction of the University being the sole public institution of higher education in the State, and the University of Hawaii cancer center being the only National Cancer Institute-designated cancer center in Hawaii underscore the importance of establishing complementary strategic priorities and coordinating the management and deployment of state resources appropriated to the University of Hawaii John A. Burns school of medicine and University of Hawaii cancer center.

It is in the public's interest that State resources be efficiently and effectively managed to optimize the public benefits. Just as co-locating

the physical facilities for the University of Hawaii John A. Burns school of medicine and University of Hawaii cancer center on adjoining sites in Kakaako promotes synergistic efforts, the legislature determines that it is a statewide concern to ensure that the management of public resources provided to the University of Hawaii John A. Burns school of medicine and University of Hawaii cancer center be integrated, coordinated, and focused on common priorities to avoid unnecessary duplication of administrative expenses or conflicting priorities. Maximized efficiencies will benefit the University of Hawaii cancer center, University of Hawaii John A. Burns school of medicine, University of Hawaii at Manoa, and the State by reducing or eliminating unnecessary expenditures and optimizing operations.

Accordingly, the purpose of this part is to:

- (1) Establish the University of Hawaii cancer center in statute as the cancer research center of Hawaii; and
- (2) Require the cancer research center of Hawaii to be administratively affiliated with the University of Hawaii John A. Burns school of medicine and possibly merge the administrative services and infrastructure teams of both entities to offer greater efficiency.

SECTION 2. Chapter 304A, part IV, Hawaii Revised Statutes, is amended by adding a new subpart to be appropriately designated and to read as follows:

" . Cancer Research Center of Hawaii

§304A- Cancer research center of Hawaii. (a) There is established an organized research unit, hereinafter known as the cancer research center of Hawaii, to conduct cancer research. The cancer research center of Hawaii shall be administered by a director to be appointed in accordance with board of regents policy.

(b) The cancer research center of Hawaii shall be administratively affiliated with the University of Hawaii John A. Burns school of medicine. The administrative services and infrastructure teams of the cancer research center of Hawaii and the University of Hawaii John A. Burns school of medicine may be merged to achieve greater efficiency.

(c) The provost of the University of Hawaii at Manoa shall have authority to direct and achieve efficiencies at the University of Hawaii John A. Burns school of medicine and cancer research center of Hawaii.

(d) The programs of the University of Hawaii John A. Burns school of medicine and cancer research center of Hawaii, and the University of Hawaii at Manoa shall identify opportunities to:

- (1) Capitalize on collaboration between the programs; and
- (2) Maximize operational efficiencies between the University of Hawaii John A. Burns school of medicine and cancer research center of Hawaii,

including but not limited to shared services and personnel whenever feasible and utilization of centralized services available through the University of Hawaii at Manoa whenever appropriate.

- (e) The cancer research center of Hawaii's research agenda shall focus on research, education, patient care, and community outreach and reflect an understanding of the ethnic, cultural, and environmental characteristics of the State and the Pacific region.
- (f) The cancer research center of Hawaii may:
 - (1) Engage in international research collaborations;
 - (2) Undertake research studies and clinical trials; and
 - (3) Participate in projects and programs of the National Cancer Institute."

PART II

SECTION 3. The purpose of this part is to further efforts to ensure the efficient and effective management of public resources provided to the University of Hawaii John A. Burns school of medicine and cancer research center of Hawaii to optimize public benefits.

SECTION 4. (a) The University of Hawaii shall develop and implement a plan for the University of Hawaii John A. Burns school of medicine and cancer research center of Hawaii to achieve greater

operational efficiencies, reduce duplication of services, and share administrative functions to the maximum extent practicable.

(b) The president of the University of Hawaii shall submit a report on the progress of the development and implementation of the plan as provided under this part to the legislature no later than twenty days prior to the convening of the regular session of 2023.

PART III

SECTION 5. The purpose of this part is to allow the University of Hawaii to continue its contribution to research commercialization and economic development by extending the sunset date of Act 38, Session Laws of Hawaii 2017, for two years, until June 30, 2024, while promoting accountability and transparency.

SECTION 6. Section 84-10, Hawaii Revised Statutes, is amended to read as follows:

"[§84-10] University of Hawaii; technology transfer activities; exemption. (a) Sections 84-12, 84-13, 84-14 to 84-16, and 84-18 shall not apply to technology transfer activities sponsored by the University of Hawaii; provided that the technology transfer activities comply with the regulatory framework and research compliance program and policies approved by the board of regents of the University of Hawaii [board of regents].

(b) Notwithstanding subsection (a), the University of Hawaii shall not sponsor, enter into, or continue to engage in technology transfer activities with a private person in which an employee of the University of Hawaii has a conflict of interest as provided in section 84-14, including a financial interest, irrespective of whether the State benefits from the technology transfer activities; provided that the prohibition under this subsection shall not apply if:

- (1) The technology transfer activities with the private person promote the timely and efficient commercialization of intellectual property created by basic and applied research at the University of Hawaii;
- (2) The State stands to benefit from the technology transfer activities with the private person;
- (3) The technology transfer activities with the private person comply with the regulatory framework and research compliance program and policies approved by the board of regents of the University of Hawaii;
- (4) The employee's conflict of interest is disclosed at the time of the proposal, and the proposals and binding agreements for each of the technology transfer activities with the private person are reviewed by the state ethics commission to assure compliance with ethics laws;
- (5) Any changes to the terms and conditions of the technology transfer activities are reported to the state ethics commission;
- (6) The employee with the conflict of interest does not:
 - (A) Take official action affecting the technology transfer activities with the private person; or
 - (B) Directly or indirectly supervise an employee when that employee takes official action affecting the technology transfer activities with the private person; and
- (7) During the term of the technology transfer activities with the private person, the following employees file annually with the state ethics commission a disclosure of financial interests pursuant to section 84-17:
 - (A) Employees who have a conflict of interest as provided in section 84-14, including a financial interest, in the private person;
 - (B) Employees who take official action affecting the technology transfer activities with the private person; and
 - (C) Employees who directly or indirectly supervise an employee who takes official action affecting the technology transfer activities with the private person.

(c) Notwithstanding subsection (a), any technology transfer activities sponsored by, entered into, or engaged in by the University of Hawaii

in violation of subsection (b) is voidable under section 84-16; provided that this subsection shall not apply to contracts for technology transfer activities entered into or extended by the University of Hawaii prior to January 1, 2022.

(d) The University of Hawaii shall file annually with the state ethics commission a disclosure, including its conflict of interest management plan, of any conflict of interest of any employee relating to its technology transfer activities.

[~~(b)~~] (c) As used in this section[, "~~technology~~"]:

"Person" means any individual, firm, association, organization, sole proprietorship, partnership, company, corporation, joint venture, trust, or any other form of business or legal entity or group of individuals.

"Technology transfer activities" means the process of transferring scientific findings from the public sector to the private sector for the purpose of commercial development and application for personal or financial gain. "Technology transfer activities" may include creating joint ventures, limited partnerships, or other corporate forms; allocating equity shares, partnership interests, or other forms of participation; identifying new technologies; protecting technologies through patents and copyrights; forming development and commercialization strategies, arrangements, or projects; and other related activities."

SECTION 7. Section 304A-121, Hawaii Revised Statutes, is amended to read as follows:

"[§304A-121] Technology transfer; reporting. The board of regents of the University of Hawaii shall submit a written report to the legislature no later than twenty days prior to the convening of each regular session regarding:

- (1) The development [~~and~~], implementation, and enforcement of its regulatory framework and research compliance program to reflect ethical research principles and technology transfer regulations used by the federal government; [~~and~~]
- (2) The technology transfer activities of the University of Hawaii, as defined in section 84-10, and the status of such activities[~~]; and~~
- (3) A disclosure, including the University of Hawaii's conflict of interest management plan, of any conflict of interest of any employee of the University of Hawaii relating to its technology transfer activities."

SECTION 8. Act 38, Session Laws of Hawaii 2017, is amended by amending section 5 to read as follows:

"SECTION 5. This Act shall take effect upon its approval; provided that this Act shall be repealed on June 30, [2022~~;~~] 2024."

PART IV

SECTION 9. The legislature finds that pursuant to the repeal and reenactment provisions of Act 39, Session Laws of Hawaii 2017, chapter 304A, part IV, subpart P, Hawaii Revised Statutes, regarding the University of Hawaii innovation and commercialization initiative program, was repealed on June 30, 2021. The purpose of this part is to reenact part IV, subpart P, for three years to allow the University of Hawaii to continue the innovation and commercialization initiative program and include additional provisions that promote accountability and transparency.

SECTION 10. Chapter 304A, Hawaii Revised Statutes, is amended by adding a new subpart to be appropriately designated and to read as follows:

" . Innovation and Commercialization Initiative Program

§304A- Innovation and commercialization initiative program; establishment. There is established within the University of Hawaii an innovation and commercialization initiative program under the direction of the vice president for research and innovation.

§304A- Innovation and commercialization initiative program; implementation. In implementing the innovation and commercialization initiative program, the University of Hawaii may promote, sponsor, and participate in the transformation of the products of its research and instructional activities into viable economic enterprises and may create, finance, and participate in organizations that contribute to the economic development and workforce diversification

of the State using university research and personnel. The university, without limitation, may:

- (1) Adopt policies and management procedures to carry out the purposes of the program;
- (2) Contribute equity, loan funds, or participate directly or indirectly to finance concepts or proposals that are likely to lead to viable businesses, economic development, or workforce opportunities based on university research;
- (3) Enter into contracts and other appropriate arrangements with start-up ventures to provide loans, initial and expansion capital, and other forms of financial assistance;
- (4) Solicit, evaluate, and assist in the preparation, drafting, and refinement of business plans and proposals;
- (5) Provide advice, instruction, training, and technical and marketing assistance to support and promote the enterprises in which the university invests;
- (6) Develop, coordinate, and deliver instruction, training, and outreach programs to build and maintain the capacity to sustain these economic enterprises;
- (7) Implement specialized programs designed to encourage the development of new products, businesses, and markets;
- (8) Prepare, publish, and distribute technical studies, reports, bulletins, and other materials consistent with customary standards of university publication, subject to the maintenance and respect for confidentiality of client proprietary information;
- (9) Organize, sponsor, and participate in conferences, workshops, seminars, and other educational activities relating to the formation and financial viability of businesses that use university research products or university personnel;
- (10) Provide and pay for advisory or consulting services and technical, managerial, and marketing assistance, support, and promotion to carry out the purposes of this subpart;
- (11) Acquire, hold, and sell qualified securities;
- (12) Consent, subject to the provisions of any contract with noteholders or bondholders, whenever the university deems it necessary or desirable in the fulfillment of the purposes of this subpart, to the modification, with respect to rate of interest, time of payment of any installment of principal or interest, or any other terms, of any contract or agreement of any kind to which the university is a party;
- (13) With the assistance of an appropriate foundation or development entity, accept donations, grants, bequests, and devises of money, property, service, or other things of value that may be received from the United States or any agency thereof, any governmental agency, or any public or private institution, person, firm, or corporation, to be held, used, or applied for any or all of the purposes in support of this program;
- (14) Invest any funds held in reserves or sinking funds, or any funds not required for immediate disbursement, in such investments as may be lawful for fiduciaries in the State;
- (15) Acquire real property, or an interest therein, by purchase or foreclosure, where that acquisition is necessary or appropriate to protect or secure any investment or loan in which the university has an interest; sell, transfer, and convey the property to a buyer and, if the sale, transfer, or conveyance cannot be effected with reasonable promptness or at a reasonable price, to lease the property;
- (16) Consistent with the purposes of the program, acquire, own, hold, dispose of, and encumber personal property of any nature, or any interest therein, either directly or through intermediate entities formed or established specifically for the program's purposes;
- (17) Enter into agreements or other transactions with any federal, state, or county agency to implement the purposes of this subpart;
- (18) Contract with other entities, public or private, for the provision of all or a portion of the services necessary for the management

and operation of the program. The university may use all appropriations, grants, contractual reimbursements, and all other funds made available for the purposes of the program to pay for the proper general expenses of the program;

- (19) Appear on its own behalf before state, county, or federal agencies on matters relating to the program;
- (20) Establish a risk management program appropriate to the activities of the program, which may include, among other components, the purchase of insurance, participation in the State's risk management program, or retention and management of risks;
- (21) Appoint advisory committees as deemed necessary; and
- (22) Exercise any other powers of a corporation organized under the laws of the State not inconsistent with the purpose and intent of the program.

§304A- University innovation and commercialization initiative special fund. (a) There is established the university innovation and commercialization initiative special fund into which shall be deposited, and shall not be considered part of the general fund, all funds consistent with the purposes of this subpart that are:

- (1) Appropriated by the legislature;
- (2) Received as repayments of loans;
- (3) Earned on investments;
- (4) Received pursuant to a venture agreement;
- (5) Received as royalties;
- (6) Received as premiums or fees charged by the university; or
- (7) Otherwise received by the program.

(b) Revenues deposited into the special fund may be expended by the University of Hawaii for all costs and expenses associated with the operation of the innovation and commercialization initiative program without regard to chapters 76, 78, 89, 102, 103, and 103D. Revenues not expended as provided in this section may be transferred to other university funds to be expended for the general benefit of the university.

§304A- Confidentiality of trade secrets; disclosure of financial information. Any documents or data made or received by the University of Hawaii under this subpart, to the extent that the material or data consist of trade secrets or confidential commercial or financial information that may be withheld from public disclosure under chapter 92F, shall not be publicly disclosed; provided that if the university purchases a qualified security, the nonconfidential commercial and financial information regarding that security shall be a public record of the university. The board of regents, or any subcommittee of the board, may hold an executive session as provided in section 92-4 to discuss trade secrets or confidential commercial or financial information that may be withheld under chapter 92F.

§304A- Limitation on liability. (a) The University of Hawaii shall not assume or otherwise promise to answer for the debt, contract, or liability of any other person or private entity involved with the innovation and commercialization initiative program.

(b) Notwithstanding chapters 661 and 662, or any other law to the contrary, nothing in this subpart shall create an obligation, debt, claim, cause of action, claim for relief, charge, or any other liability of any kind whatsoever in favor of any person or entity, without regard to whether that person or entity receives any benefits under this subpart, against the State or its officers and employees. The State and its officers and employees shall not be liable for the results of any investment, purchase of securities, loan, or other assistance provided pursuant to this subpart. Nothing in this subpart shall be construed as authorizing any claim against the University of Hawaii in excess of any note, loan, or other specific indebtedness incurred by the university or in excess of any insurance policy acquired for the university or its employees.

§304A- Preservation of governmental immunity; full faith and credit. No contract, agreement, or statement made by the University of Hawaii pursuant to this subpart shall constitute an express or implied waiver by the university of its governmental or sovereign immunity as a public agency of the State, nor shall the contracts, agreements, or

statements constitute an express or implied acceptance of liabilities in excess of liabilities allowable under applicable governmental immunity laws. No activity conducted by the university or agreement entered into pursuant to this subpart shall be deemed a pledge of the full faith and credit of the State.

§304A- Cooperation with the University of Hawaii by state agencies. Every state agency may render services to the University of Hawaii upon the university's request for any purpose related to this subpart.

§304A- Construction of subpart. (a) Other state laws, including without limitation the state code of ethics, shall be applied and construed on balance in recognition of the public benefits created and state interests advanced by the activities conducted by the University of Hawaii pursuant to this subpart.

(b) Notwithstanding subsection (a), the University of Hawaii shall not sponsor, enter into, or continue to engage in activities conducted pursuant to this subpart with a private person in which an employee of the University of Hawaii has a conflict of interest as provided in section 84-14, including a financial interest, irrespective of whether the State benefits from the activities; provided that the prohibition under this subsection shall not apply if:

- (1) The activities with the private person transform the products of the University of Hawaii's research and instructional activities into viable economic enterprises;
- (2) The State stands to benefit from the activities with the private person;
- (3) The activities with the private person comply with the regulatory framework and research compliance program and policies approved by the board of regents of the University of Hawaii;
- (4) The employee's conflict of interest is disclosed at the time of the proposal, and the proposals and binding agreements for each of the activities with the private person are reviewed by the state ethics commission to assure compliance with ethics laws;
- (5) Any changes to the terms and conditions of the activities are reported to the state ethics commission;
- (6) The employee with the conflict of interest does not:
 - (A) Take official action affecting the activities with the private person; or
 - (B) Directly or indirectly supervise an employee who takes official action affecting the activities with the private person; and
- (7) During the term of the activities with the private person, the following employees file annually with the state ethics commission a disclosure of financial interests pursuant to section 84-17:
 - (A) Employees who have a conflict of interest as provided in section 84-14, including a financial interest, in the private person;
 - (B) Employees who takes official action affecting the activities with the private person; and
 - (C) Employees who directly or indirectly supervise an employee who takes official action affecting the activities with the private person.

(c) Notwithstanding subsection (a), any activities conducted by the University of Hawaii pursuant to this subpart in violation of subsection (b) is voidable under section 84-16; provided that this subsection and subsection (b) shall not apply to contracts entered into or extended by the University of Hawaii prior to January 1, 2022, for activities conducted by the University of Hawaii pursuant to this subpart.

(d) The University of Hawaii shall file annually with the state ethics commission a disclosure, including its conflict of interest management plan, of any conflict of interest of any employee relating to its activities conducted pursuant to this subpart.

(e) As used in this section, "person" means any individual, firm, association, organization, sole proprietorship, partnership, company,

corporation, joint venture, trust, or any other form of business or legal entity or group of individuals.

§304A- Biennial report. No later than twenty days prior to the convening of the regular session of each odd-numbered year, the University of Hawaii shall submit a report to the legislature concerning:

- (1) All funds deposited into the university innovation and commercialization initiative special fund and a detailed description of the use of those funds;
- (2) Coordinated efforts between the innovation and commercialization initiative program and other state agencies, including the Hawaii technology development corporation, the Hawaii strategic development corporation, and the Hawaii state energy office, to move the State's innovation goals forward, and to more efficiently and effectively utilize resources to achieve these outcomes; and
- (3) A disclosure, including its conflict of interest management plan, of all conflicts of interest of any employee relating to its activities conducted pursuant to this subpart."

PART V

SECTION 11. The legislature finds that on June 30, 2021, the provisions of Act 42, Session Laws of Hawaii 2018, were repealed. The purpose of this part is to temporarily reenact provisions amended by Act 42, Session Laws of Hawaii 2018, for the purpose of extending, for three years, the authority of the president of the University of Hawaii to act as the University of Hawaii's chief procurement officer for all procurement contracts under chapter 103D, Hawaii Revised Statutes.

SECTION 12. Section 103D-203, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) The chief procurement officer for each of the following state entities shall be:

- (1) The judiciary--the administrative director of the courts;
- (2) The senate--the president of the senate;
- (3) The house of representatives--the speaker of the house of representatives;
- (4) The office of Hawaiian affairs--the chairperson of the board;
- (5) The University of Hawaii--the president of the University of Hawaii; ~~[provided that, except as specified in section 304A-2672(2), for contracts for construction and professional services furnished by licensees under chapter 464, the administrator of the state procurement office of the department of accounting and general services shall serve as the chief procurement officer;]~~
- (6) The department of education, excluding the Hawaii public library system--the superintendent of education;
- (7) The Hawaii health systems corporation--the chief executive officer of the Hawaii health systems corporation; and
- (8) The remaining departments of the executive branch of the State and all governmental bodies administratively attached to them--the administrator of the state procurement office of the department of accounting and general services."

SECTION 13. Section 304A-2672, Hawaii Revised Statutes, is amended to read as follows:

"§304A-2672 Powers of the board. Notwithstanding any law to the contrary, the board may:

- (1) Designate as a university project, any undertaking, improvement, or facility on any one or more of the areas in one or more of the educational institutions under the jurisdiction of the board;
- (2) Construct and maintain university projects, including a university project included or to be in a university system; ~~[provided that all procurements for professional services furnished by licensees under chapter 464 for construction projects shall be coordinated with the department of accounting and general services on behalf of the board; provided further that the department of accounting and general services shall not be responsible for procurements determined by both the University~~

of Hawaii and the department of accounting and general services to be professional services furnished by licensees under chapter 464 for repair and maintenance;]

- (3) Combine two or more university projects into a university system on one or more of the areas on any one or more of the educational institutions under the jurisdiction of the board, and to maintain the system;
- (4) Combine two or more university projects, university systems, or university projects and university systems into a network, on any one or more of the areas on any one or more of the educational institutions under the jurisdiction of the board, and to maintain the network;
- (5) Prescribe and collect rents, fees, and charges for the use of or services furnished by any university project and the facilities thereof, and pledge any appropriation to any university project and the facilities thereof that in aggregate, produces revenue of the university at least sufficient to comply with section 304A-2681;
- (6) With the approval of the governor, issue revenue bonds under this subpart in such principal amount as may be authorized by the legislature from time to time to finance in whole or in part the cost of construction or the cost of maintenance of any university project, including funding reserves therefor;
- (7) Pledge to the punctual payment of revenue bonds and interest thereon, all or any part of the revenue of the university, including any appropriation, in an amount sufficient to pay the revenue bonds and interest as the same become due and to create and maintain reasonable reserves therefor;
- (8) Establish a loan program or a commercial paper program upon terms and conditions that the board may determine; and
- (9) Advance moneys of the university, not otherwise required, and do any and all other lawful acts as may be necessary, convenient, or desirable, for carrying into execution and administering this subpart."

SECTION 14. The University of Hawaii shall submit an annual report to the legislature detailing a list of all capital improvement projects approved by the board of regents, prioritized by each campus, no later than twenty days prior to the convening of each regular session.

PART VI

SECTION 15. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 16. This Act shall take effect upon its approval; provided that:

- (1) Parts IV and V of this Act shall apply retroactively to any actions taken after June 30, 2021, by the University of Hawaii pursuant to the sections of law amended by those parts;
- (2) Section 10 shall be repealed on June 30, 2024; and
- (3) Sections 12, 13, and 14 shall be repealed on June 30, 2024, and sections 103D-203(a) and 304A-2672, Hawaii Revised Statutes, shall be reenacted in the form in which they read on June 11, 2018.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, Floor Amendment No. 3, amending S.B. No. 589, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII," was adopted, with Representatives Ilagan, McKelvey, and Nishimoto being excused.

At 2:50 p.m., the Chair noted that Floor Amendment No. 3 was adopted.

At this time, the Chair stated:

"Alright members, we will now be taking up override votes. Alright members, please refer to House Bill No. 338, as referenced in Governor's Message No. 1280."

Gov. Msg. No. 1280 and H.B. No. 338, HD 1, SD 1:

Representative Belatti moved to override the veto of H.B. No. 338, HD 1, SD 1, as contained in Gov. Msg. No. 1280, seconded by Representative Morikawa.

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 338, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE JUDICIARY," as contained in Gov. Msg. No. 1280, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 44: Aquino, Belatti, Branco, Cullen, Eli, Ganaden, Gates, Hashem, Hashimoto, Holt, Ichiyama, Johanson, Kapela, Kitagawa, B. Kobayashi, D. Kobayashi, LoPresti, Lowen, Luke, Marten, Matayoshi, Matsumoto, McDermott, Mizuno, Morikawa, Nakamura, Nakashima, Ohno, Okimoto, Onishi, Perruso, Quinlan, Saiki, Sayama, Takayama, Takumi, Tam, Tarnas, Todd, Ward, Wildberger, Woodson, Yamane, and Yamashita.

Noes, 3: Har, Kong, and Tokioka.

Excused, 3: Ilagan, McKelvey, and Nishimoto.

At 2:54 p.m., the Chair noted that the motion to override the veto had carried, and H.B. No. 338, HD 1, SD 1, as contained in Gov. Msg. No. 1280, was approved.

At this time, the Chair stated:

"Alright members, please refer to House Bill No. 862, as referenced in Governor's Message No. 1288."

Gov. Msg. No. 1288 and H.B. No. 862, HD 2, SD 2, CD 1:

Representative Belatti moved to override the veto of H.B. No. 862, HD 2, SD 2, CD 1, as contained in Gov. Msg. No. 1288, seconded by Representative Morikawa.

Representative Ward rose to speak in opposition to the override, stating:

"Mr. Speaker, I rise in strong opposition to this measure. Mr. Speaker, this is a bill that punishes the Hawaii Tourism Authority for doing such a good job. We've got too many visitors, we've got to calm them down, cut their budget, and tame them to do what otherwise is their job.

"What is unfortunate about it is that it takes away their strategic advantage of having procurement, basically handcuffs their ability to cut deals and cut them quickly. It takes away their Hawaiian cultural thematic predominance. And Mr. Speaker, it kicks to the curb the PISCES program, it doesn't give it any funds. And it basically handcuffs, back to a mother may I, for what they have to do for procurement.

"Mr. Speaker, the business leaders don't want this. It's untimely. It's in the Governor's note here, it's something that really is not good for our economy, that says that we have a fiscal crisis when we passed this bill. The fiscal crisis is over. We basically got bailed out. The economic conditions are different that we don't need this. And if you want to look at the TAT that we now have swept for the sake of building our treasury, we don't need that any longer. We can distribute the TAT properly.

"And Mr. Speaker, I think we always pride ourselves on the centrality of our system of education, centrality of taxation, and now we want to turn over the TAT to the counties to raise taxes by 3% maximum.

"Mr. Speaker, this is a solution in search of a problem of which we don't have because it's under different conditions. And also, and I know this is a bit of an odd thing, but there is enough personalities involved in this kind of a bill that has got it to where it is today that don't belong in the fiscal affairs of the State of Hawaii. I will not mention any names, but I will mention this, we are burning a bridge before we cross it by doing what we're doing.

"We have an economy that does not fit the size of the needs of our families. Mr. Speaker, I've spoken countless times about Hawaii is like a family of eight. The father who works, and he can feed three kids very well, two are on rations, and three are on food stamps. They can't do it. We've got to grow our economy, we have got to stop cutting through things that do

good things and make people feel good. We got to get our people to have good jobs, high paying jobs. We have to be creative and innovative.

"Instead, we have a bill like this that basically says, tourism, we are going to cut short what otherwise, right now, Mr. Speaker, HTA has got a new management plan. I know people are going to stand up and say in opposition, well, we got to cut it while the iron is hot, well, tourists are back, 30,000 a couple of days ago. They're in large numbers. But they have a new management plan, of which, when we take away their authority, we are cutting our nose to spite our face, Mr. Speaker.

"So, this is not good for business, it's not good for our economy, and it's telling the HTA, hey, you've done a great job, but we're going to punish your success. And for those reasons and probably many, many more, Mr. Speaker, this is a very bad bill. It's a very bad policy, and not good for the people of Hawaii.

"And one last note. We are the highest unemployment rate, we're at 8.5% right now. The nation is at 6%. We always prided ourselves on being ahead of the unemployment curve. But right now, we have people who are in the tourist industry who are sitting on the sidelines, even my office, begging for the unemployment insurance to be paid to them. People are still out there hurting, and we're going to hurt the agency that gives them the jobs, that creates the jobs. And this is again bad policy and it's bad timing, it's just overall not a good reason for a veto. Thank you, Mr. Speaker."

Representative Onishi rose to speak in support of the override, stating:

"Thank you, Mr. Speaker. I want to speak in support of the override. Mr. Speaker, the budget that's appropriated in this bill, the \$60 million, is a sum that was negotiated and worked with HTA from before the previous session started. We began work on this in November of 2020, understanding that they had already cut their FY21 budget down to \$40 million. So, this in essence restores \$20 million of funds that the administration refused to give to them during the COVID pandemic.

"The issue about the procurement is an issue that also was discussed with HTA in regards to their operations and how badly it would curtail their operations if the procurement exemption was removed. They agreed that we would be able to do that, and it would still continue to function.

"This budget does not eliminate any functionality from HTA, except for the transfer of the research division to DBEDT, which we have done with other agencies. So, despite the public rhetoric that's out there, the impact to HTA in this bill is things that HTA, we have worked with them and they have agreed to move forward with. So, we have not eliminated Hawaiian programs, we have not eliminated marketing funds, those are still all intact. And this \$60 million budget is something that they can live with. Thank you, Mr. Speaker."

Representative Luke rose to speak in support of the override, stating:

"Thank you, Mr. Speaker. In strong support of the override. Mr. Speaker, the Legislature and the public have been talking about tourism management for years now. Prior to COVID, in 2019, the State of Hawaii saw 30,000 to 40,000 visitors arriving on our shore. And at some point in time, many people in the public believe, okay, when is it too much? And the discussion started happening about three to four years ago about management.

"So, tourism industry management is not something new. I think the disappointing thing for many of us is, for the last year and a half, when the tourism industry was somewhat shutdown, that's when the HTA and the industry should have already thought about management of tourism and hit the ground running when they hit the pre-COVID level.

"Let's take, as an example, what happened in Haena on Kauai. In Haena, when the flood occurred, it stopped access to the North Shore of Kauai. But thanks to the efforts of the representative from that area, along with the community, they had extensive discussion and outreach between the community and the representative about how to reopen Haena State Park in a manageable way. That kind of discussion should have spurred additional insights in both DLNR and HTA to have that as an example to be looked at in many of the parks, including Diamond Head Park, including many of the areas in our districts.

"In my district, in Nuuanu Valley, there is this place called, it's not a bad word, it's what it's called, it's Jackass Ginger. And a lot of people go to Jackass Ginger as a trail. And you can go to the area and no one really would be around. It was close to Morgan's Corner where teenage kids would go and they would enjoy and they would talk about ghost stories in Nuuanu. And it's something that was really special to, not just the local families, but people in the Nuuanu area.

"Twenty years fast forward, now you can't go in that area without it being overburdened with a lot of people wanting to use the trail, a lot of tourists, and just a lot of sightseers who sometimes get lost and sometimes don't really understand the sacredness of that area. And I'm sure that's going on in every area around the state.

"Finance Committee visited Maui two years ago, before COVID hit, and we went to Maui to look at Iao Valley. And DLNR personnel in Iao Valley said, okay, by 10:00 this place is crawling with people and we have to do better management. And they reached out to agencies, like HTA, they started that discussion about, how do we ensure that we have paid parking, we charge people for having to visit some of our special areas. And how do we manage it so we limit the number of people?

"So, just among legislators, we had discussions about, wouldn't it be great if we were to have an app. And we would have *kapu* days, depending on what day it is and depending on what park, we would restrict access. Just like Hanauma Bay, we would restrict the number of visitors in that area, we would restrict access on certain days. So, Iao Valley would just be no access on Monday, or Haena would be no access on Tuesday, Big Island parks would be no access on Wednesday. And we just kind of take turns so that many of these sacred areas and many of these areas can heal on its own, at least for a day. And we would charge for parking, you would limit the number of visitors, you can only get there through shuttle service, and then wouldn't it be great?

"And we already started that discussion with DLNR with the absence of HTA. It's not to say HTA is responsible or not responsible, because they're our partner in this."

Representative Morikawa rose to yield her time, and the Chair "so ordered."

Representative Luke continued, stating:

"Thank you very much, Floor Leader. But it is really about that discussion about sustainable tourism and tourism management that we have to start, we as a body of policymakers who have been elected by our residents to give us that responsibility to do management. And the time is not two years from now or five years from now. The time is now. And one of the responsibilities that we need to do is charge tourists and have them pay their share of the resources that they use. And that's why this bill also allows the counties to increase the TAT by 3%, and in addition to that we also raised rental car tax, we allowed DLNR to assess fees, we allowed DLNR to charge for ocean recreation. It's all part of a sustainable management plan that the Legislature has already started and embodying.

"HTA will always be a partner. But to rely on HTA to come up with these solutions at some later point is not the right thing. The time has already passed.

"Let me talk about another part of the bill. The current structure of allocation and division to the counties is not fair. And I, as an Oahu resident, will say that it's not fair for the neighbor islands. The one island that is getting the short end of the stick is Maui. In 2019, Oahu brought in \$2.7 billion worth of TAT or hotel room costs. Maui in 2019 got \$2 billion. So, Maui in certain years brought in just as much hotel room expenses as Oahu, but they're getting half the amount under the current scenario as Oahu does.

"By allowing the counties to keep the TAT that they are able to tax, they can control their own destiny. And they can have different arrangements if they want to tax hotels at a lower rate and they want to go after short term rentals, and especially those short term rentals that they deem are legal, they can charge them at a higher rate. This allows for much more flexibility for the counties than the current system. That's why it's not surprising that several of the mayors have supported this bill.

"I think it is a job for the Legislature to step in and do tourism management. And this is a vehicle to do it. And I want to thank my colleague, especially the Tourism Chair, for having the vision, and many of my colleagues on this floor, for having the vision to really reshape and have that discussion about pivoting, not several years from now, but right now. And this is a vehicle to do it. Thank you very much."

Representative Marten rose in support of the override and asked that the remarks of Representative Luke be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Ward rose to respond, stating:

"Thank you, Mr. Speaker. Still opposed. We're missing one key element here when we talk about management. I appreciate the Chair of Finance's arguments, well stated, except we're missing one very key element, Mr. Speaker. There's always the talk about the beer budget tourist. That is what is the difficulty we're facing right now. We've got masses of people, primarily from the mainland. And if I can say directly from what the Governor's veto has said, we're missing where the big spenders are and they have not returned yet.

"He said international visitors still account for only a small percentage of the pre-COVID levels. So, the 30,000 people that we're talking about who are making our neighborhoods so crowded, and we've gotta control them, are not the Asians, the Chinese, the Koreans, and the Japanese who are the big spenders, which is the quality issue that we're trying to get when we control and manage tourism. We're trying to go for quality and not quantity.

"The Governor goes on and says, HTA needs help to recapture its share of the international visitors as health conditions improve abroad. Like convention visitors, international visitors are vital to developing a more sustainable tourist industry based on quality, not quantity of visitors. Mr. Speaker, that is a key argument, because as long as we're going to have the beer budget guys that are coming here, they're going to show massive presence in all the areas. And look, I've got Hanauma Bay in my district, I know what it's like when we get overpowered and the environment suffers. Well the solution is, as the Chair has said, we up the prices. It's \$25 now to get into Hanauma Bay. That's not cheap. It's again going for the quality rather than for the quantity

"And Mr. Speaker, if we cut this back to where this discourages the international visitors, i.e. the \$400, \$500 a day from China, \$400 a day from Korea, \$350 to \$450 from Japan, we're going to be, again, cutting back on what otherwise is what we're trying to do when we manage tourism. So, God bless the beer budget people, but those are not the ones that we want to go to. And look, HTA is not stupid, they know what a management plan is. They know what the will of each of our districts are. They know that they've got to cut down on this. And to say that we've got to whip them into shape is inappropriate, untimely, and, Mr. Speaker, I think if we really want to get the champagne and those who are the quality tourists, we've got to let HTA do their job and keep our micromanagement out of it. For those reasons, Mr. Speaker, this override veto is not justified. Thank you."

Representative Onishi rose to respond, stating:

"Thank you, Mr. Speaker. Second time, in support. Mr. Speaker, neither the Governor nor HTA can control the travel of international visitors. That travel for international visitors are basically being controlled by their own country. For example, Japan and Korea still have a mandatory quarantine for their residents, for their countrymen, if they travel to the US. So, naturally nobody wants to come to the US because when they go back to Japan, whether or not they test positive or not or whether they have been vaccinated or not, they still have a mandatory quarantine. It's the same way with Australia, New Zealand, Canada, Europe.

"Everybody is banning US citizens from going to their country. Why? Because of the fact that we have problems in the US with people obeying laws in regards to social distancing, wearing masks, congregating. Everybody in the US is coming to Hawaii because there is no place else to go and they want to travel. So, naturally our US visitor counts are up because they can't travel anywhere outside of the US.

"So, it's disappointing that the Governor would use that as a reason for why he is vetoing this bill. But he has no control, HTA has no control over the travel of international visitors. With that, I still stand in support."

Representative Branco rose to speak in support of the override, stating:

"Thank you, Mr. Speaker. In support. The definition of insanity is doing the same thing over, and over, and over again and thinking of different results. My constituency in Kailua and Kaneohe Bay is calling for a change, and many of the constituencies around the island are calling that as well. There is always going to be allure of coming to Hawaii and visiting. This is our opportunity to make a change. This is the lever that we can use to help our local residents. We cannot tell an airlines to stop bringing people. We cannot tell a hotel to stop filling the rooms. But this is what we can do as a legislature to make a change for our communities. And so, I stand in strong support of this bill."

Representative Wildberger rose to speak in opposition to the override, stating:

"Thank you, Mr. Speaker. In opposition, please. I would like for the record to express my support for the components of this bill that does reign in HTA and get some control of their budgets. But the TAT arrangement that is included in this bill I cannot in good conscience support, as my district asphyxiates right now with over tourism. We need every penny of the TAT to come to be able to react to emergencies, to do rescues in our mountains and in our waters. We are receiving a disproportionate burden of tourism compared to the rest of the state on Maui. And the provisions in this bill reduce our TAT by 60%, and it seems to me like that is a state of Oahu taxation without representation. Thank you."

Representative Luke rose to respond, stating:

"Thank you, Mr. Speaker. Just one more thing in support. There is no research to state that just because you are a high spending tourist that you will be eco-friendly. I think when we talk about tourism management and vision about tourism, what we would like to do is have the type of tourist who will be environmentally conscious, is responsible in taking care of some of our resources, and is respectful. And the fact that we want to encourage just international tourists just because they spend more, just because you spend more doesn't mean they will be responsible. In fact, I would say the opposite. People who come here, pay \$500 a night at a hotel, is going to expect their linens and towels to be washed on a daily basis as opposed to saying, okay, you know what, maybe I shouldn't waste all that water, and then will expect to rent a car and drive around and maximize their experience.

"I would say the people who are respectful for some of our natural resources could be those millennials, could be those people who are coming in and taking the sight of the beauty and natural beauty of our islands. If that's the case, then why shouldn't we tax those individuals just as what the Hawaii Kai Representative said, raise fees on certain areas, because those are the very ones who will appreciate that, hey, you know what, we are going to charge you a fee to use our parks and use our certain areas and use our Hanauma Bay or Diamond Head trail, or whatever it is, knowing that those monies will be used to improve some of the park area, to have infrastructure improvement, and to make sure that we enhance those natural areas. And so, I would completely disagree that having the high spending tourist will lead to better management.

"As far as what the Kihei Representative stated, under the 3% scenario, right now Maui gets \$23 million under the current scenario. If Maui were to maximize raising the TAT at 3%, they would get \$60 million. So, with that, thank you very much."

At this time the Chair called for a roll call vote and the motion to override the veto of H.B. No. 862, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO STATE GOVERNMENT," as contained in Gov. Msg. No. 1288, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 38: Aquino, Belatti, Branco, Cullen, Eli, Ganaden, Gates, Hashem, Hashimoto, Holt, Ichiyama, Johanson, Kapela, Kitagawa, B. Kobayashi,

D. Kobayashi, LoPresti, Lowen, Luke, Marten, Matayoshi, Matsumoto, Mizuno, Morikawa, Nakamura, Nakashima, Onishi, Perruso, Quinlan, Saiki, Sayama, Takayama, Tam, Tarnas, Todd, Woodson, Yamane, and Yamashita.

Noes, 8: Har, Kong, McDermott, Okimoto, Takumi, Tokioka, Ward, and Wildberger.

Excused, 4: Ilagan, McKelvey, Nishimoto, and Ohno.

At 3:23 p.m., the Chair noted that the motion to override the veto had carried, and H.B. No. 862, HD 2, SD 2, CD 1, as contained in Gov. Msg. No. 1288, was approved.

At this time, the Chair stated:

"Members, please refer to Senate Bill No. 263, as referenced in Governor's Message No. 1295."

Gov. Msg. No. 1295 and S.B. No. 263, SD 2, HD 2, CD 1:

Representative Belatti moved to override the veto of S.B. No. 263, SD 2, HD 2, CD 1, as contained in Gov. Msg. No. 1295, seconded by Representative Morikawa.

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 263, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ECONOMIC DEVELOPMENT," as contained in Gov. Msg. No. 1295, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 46: Aquino, Belatti, Branco, Cullen, Eli, Ganaden, Gates, Har, Hashem, Hashimoto, Holt, Ichiyama, Johanson, Kapela, Kitagawa, B. Kobayashi, D. Kobayashi, Kong, LoPresti, Lowen, Luke, Marten, Matayoshi, Matsumoto, McDermott, Mizuno, Morikawa, Nakamura, Nakashima, Okimoto, Onishi, Perruso, Quinlan, Saiki, Sayama, Takayama, Takumi, Tam, Tarnas, Todd, Tokioka, Ward, Wildberger, Woodson, Yamane, and Yamashita.

Excused, 4: Ilagan, McKelvey, Nishimoto, and Ohno.

At 3:27 p.m., the Chair noted that the motion to override the veto had carried, and S.B. No. 263, SD 2, HD 2, CD 1, as contained in Gov. Msg. No. 1295, was approved.

At this time, the Chair stated:

"Please refer to Senate Bill No. 404, as referenced in Governor's Message No. 1296."

Gov. Msg. No. 1296 and S.B. No. 404, HD 2, CD 1:

Representative Belatti moved to override the veto of S.B. No. 404, HD 2, CD 1, as contained in Gov. Msg. No. 1296, seconded by Representative Morikawa.

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 404, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTIONEERING COMMUNICATIONS," as contained in Gov. Msg. No. 1296, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 43: Aquino, Belatti, Branco, Cullen, Eli, Ganaden, Gates, Har, Hashem, Hashimoto, Holt, Ichiyama, Johanson, Kitagawa, B. Kobayashi, Kong, LoPresti, Lowen, Luke, Marten, Matayoshi, Matsumoto, McDermott, Mizuno, Morikawa, Nakamura, Nakashima, Okimoto, Onishi, Quinlan, Saiki, Sayama, Takayama, Takumi, Tam, Tarnas, Todd, Tokioka, Ward, Wildberger, Woodson, Yamane, and Yamashita.

Noes, 3: Kapela, D. Kobayashi, and Perruso.

Excused, 4: Ilagan, McKelvey, Nishimoto, and Ohno.

At 3:31 p.m., the Chair noted that the motion to override the veto had carried, and S.B. No. 404, HD 2, CD 1, as contained in Gov. Msg. No. 1296, was approved.

At this time, the Chair stated:

"Please refer to Senate Bill No. 639, as referenced in Governor's Message No. 1298."

Gov. Msg. No. 1298 and S.B. No. 639, SD 1, HD 1, CD 1:

Representative Belatti moved to override the veto of S.B. No. 639, SD 1, HD 1, CD 1, as contained in Gov. Msg. No. 1298, seconded by Representative Morikawa.

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 639, SD 1, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO COURTS OF APPEAL," as contained in Gov. Msg. No. 1298, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 40: Aquino, Belatti, Branco, Cullen, Eli, Ganaden, Gates, Hashem, Hashimoto, Holt, Ichiyama, Johanson, Kapela, Kitagawa, B. Kobayashi, D. Kobayashi, LoPresti, Lowen, Luke, Marten, Matayoshi, Mizuno, Morikawa, Nakamura, Nakashima, Onishi, Perruso, Quinlan, Saiki, Sayama, Takayama, Takumi, Tam, Tarnas, Todd, Tokioka, Wildberger, Woodson, Yamane, and Yamashita.

Noes, 6: Har, Kong, Matsumoto, McDermott, Okimoto, and Ward.

Excused, 4: Ilagan, McKelvey, Nishimoto, and Ohno.

At 3:35 p.m., the Chair noted that the motion to override the veto had carried, and S.B. No. 639, SD 1, HD 1, CD 1, as contained in Gov. Msg. No. 1298, was approved.

At this time, the Chair stated:

"Members, please refer to Senate Bill No. 807, as referenced in Governor's Message No. 1299."

Gov. Msg. No. 1299 and S.B. No. 807, SD 2, HD 2, CD 1:

Representative Belatti moved to override the veto of S.B. No. 807, SD 2, HD 2, CD 1, as contained in Gov. Msg. No. 1299, seconded by Representative Morikawa.

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 807, SD 2, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," as contained in Gov. Msg. No. 1299, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 44: Aquino, Belatti, Branco, Cullen, Eli, Ganaden, Gates, Har, Hashem, Hashimoto, Holt, Ichiyama, Johanson, Kapela, Kitagawa, D. Kobayashi, LoPresti, Lowen, Luke, Marten, Matayoshi, Matsumoto, McDermott, Mizuno, Morikawa, Nakamura, Nakashima, Okimoto, Onishi, Perruso, Quinlan, Saiki, Sayama, Takayama, Takumi, Tam, Tarnas, Todd, Tokioka, Ward, Wildberger, Woodson, Yamane, and Yamashita.

Noes, 2: B. Kobayashi and Kong.

Excused, 4: Ilagan, McKelvey, Nishimoto, and Ohno.

At 3:39 p.m., the Chair noted that the motion to override the veto had carried, and S.B. No. 807, SD 2, HD 2, CD 1, as contained in Gov. Msg. No. 1299, was approved.

At this time, the Chair stated:

"Please refer to Senate Bill No. 811, as referenced in Governor's Message No. 1300."

Gov. Msg. No. 1300 and S.B. No. 811, HD 1, CD 1:

Representative Belatti moved to override the veto of S.B. No. 811, HD 1, CD 1, as contained in Gov. Msg. No. 1300, seconded by Representative Morikawa.

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 811, HD 1, CD 1, entitled: "A BILL FOR AN ACT RELATING TO THE DEPARTMENT OF EDUCATION," as contained in Gov. Msg. No. 1300, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 46: Aquino, Belatti, Branco, Cullen, Eli, Ganaden, Gates, Har, Hashem, Hashimoto, Holt, Ichiyama, Johanson, Kapela, Kitagawa, B. Kobayashi, D. Kobayashi, Kong, LoPresti, Lowen, Luke, Marten, Matayoshi, Matsumoto, McDermott, Mizuno, Morikawa, Nakamura, Nakashima, Okimoto, Onishi, Perruso, Quinlan, Saiki, Sayama, Takayama, Takumi, Tam, Tarnas, Todd, Tokioka, Ward, Wildberger, Woodson, Yamane, and Yamashita.

Excused, 4: Ilagan, McKelvey, Nishimoto, and Ohno.

At 3:42 p.m., the Chair noted that the motion to override the veto had carried, and S.B. No. 811, HD 1, CD 1, as contained in Gov. Msg. No. 1300, was approved.

At this time, the Chair stated:

"Please refer to Senate Bill No. 1387, as referenced in Governor's Message No. 1301."

Gov. Msg. No. 1301 and S.B. No. 1387, SD 1, HD 2, CD 1:

Representative Belatti moved to override the veto of S.B. No. 1387, SD 1, HD 2, CD 1, as contained in Gov. Msg. No. 1301, seconded by Representative Morikawa.

At this time the Chair called for a roll call vote and the motion to override the veto of S.B. No. 1387, SD 1, HD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO MICROCHIP IDENTIFICATION," as contained in Gov. Msg. No. 1301, was put to vote by the Chair and carried, and was approved by the required two-thirds vote of the House pursuant to Section 17 of Article III of the Constitution of the State of Hawaii on the following show of Ayes and Noes:

Ayes, 46: Aquino, Belatti, Branco, Cullen, Eli, Ganaden, Gates, Har, Hashem, Hashimoto, Holt, Ichiyama, Johanson, Kapela, Kitagawa, B. Kobayashi, D. Kobayashi, Kong, LoPresti, Lowen, Luke, Marten, Matayoshi, Matsumoto, McDermott, Mizuno, Morikawa, Nakamura, Nakashima, Okimoto, Onishi, Perruso, Quinlan, Saiki, Sayama, Takayama, Takumi, Tam, Tarnas, Todd, Tokioka, Ward, Wildberger, Woodson, Yamane, and Yamashita.

Excused, 4: Ilagan, McKelvey, Nishimoto, and Ohno.

At 3:45 p.m., the Chair noted that the motion to override the veto had carried, and S.B. No. 1387, SD 1, HD 2, CD 1, as contained in Gov. Msg. No. 1301, was approved.

At this time, the Chair stated:

"Members, please note that Governor's Message No. 1277 will be deferred one legislative day. All remaining Governor's Messages shall be filed."

Gov. Msg. No. 1277 and H.B. No. 53, SD 1, CD 1:

By unanimous consent, action was deferred one legislative day.

At 3:45 p.m., the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 3:50 p.m.

SUPPLEMENTAL CALENDAR #2**SENATE COMMUNICATIONS**

The following communication from the Senate (Sen. Com. No. 1) was received and announced by the Clerk:

Sen. Com. No. 1, transmitting S.C.R. No. 1, entitled: "SENATE CONCURRENT RESOLUTION RELATING TO THE RECESS DAY FOR THE SPECIAL SESSION OF 2021," which was adopted by the Senate on July 6, 2021.

On motion by Representative Belatti, seconded by Representative Morikawa and carried, S.C.R. No. 1 was adopted, with Representatives Ilagan, McKelvey, Nakashima, Nishimoto, and Ohno being excused.

ANNOUNCEMENTS

Representative Branco: "I just ask the Chamber to join me to wish Representative Sayama a happy birthday."

Representative Kapela: "Mr. Speaker, this past weekend Hawaii lost one of its greatest leaders. Haunani-Kay Trask was a scholar, an activist, and an inspiration to the Hawaiian community. Her work on behalf of indigenous rights established new pathways for native people to pursue in marching towards freedom. Her ceaseless support for sovereignty helped countless Hawaiians understand our history and embrace our identity. Professor Trask's *aloha* for our *āina* will never be forgotten. From generation to generation, it will be woven into the fabric of our own history, where it will help our *keiki* be able to connect to their ancestral homeland. She once wrote that resistance is its own reward. As Hawaiians continue to fight against colonial domination and corporate exploitation, we will be strengthened by her spirit. Her fierce advocacy for Hawaii's people will be a beacon of light that lights the long path towards justice and self-determination.

"Mr. Speaker, at the appropriate time I ask that we hold a moment of silence to remember Haunani-Kay Trask and honor her enduring legacy for the native people of our island home."

Speaker Saiki: "Alright, we'll have a moment of silence at the appropriate time."

ADJOURNMENT

At 3:52 p.m., on motion by Representative Morikawa, seconded by Representative Matsumoto and carried, the House of Representatives adjourned until 3:00 p.m. Thursday, July 8, 2021. (Representatives Ilagan, LoPresti, McKelvey, Nakashima, Nishimoto, and Ohno were excused.)

HOUSE COMMUNICATIONS

House Communication dated July 6, 2021, from Brian L. Takeshita, Chief Clerk of the House of Representatives, to the Honorable President and members of the Senate, informing the Senate that the House has reconsidered the following House and Senate Bills, heretofore vetoed as set forth in Governor's Messages dated July 6, 2021, and approved said bills by an affirmative vote of two-thirds of all members to which the House of Representatives of the Thirty-First Legislature of the State of Hawaii, is entitled:

H.B. No. 338, HD 1, SD 1
H.B. No. 862, HD 2, SD 2, CD 1
S.B. No. 263, SD 2, HD 2, CD 1
S.B. No. 404, HD 2, CD 1
S.B. No. 639, SD 1, HD 1, CD 1
S.B. No. 807, SD 2, HD 2, CD 1
S.B. No. 811, HD 1, CD 1
S.B. No. 1387, SD 1, HD 2, CD 1